



Governor's Office of Workforce Development

Methods of Administration (MOA)

2012

Governor Nathan Deal

Executive Director Tricia Pridemore

The MOA has nine (9) – required elements

- 1) Designation of State and Local Level Equal Opportunity Officer
- 2) Notice and Communication
- 3) Assurances, Job Training Plans, Contacts, and Policies and Procedures
- 4) Universal Access
- 5) Compliance with Section 504 of the Rehabilitation Act of 1973, as amended and 29 CFR part 37
- 6) Data and Information collection and maintenance
- 7) Monitor recipients for Compliance
- 8) Complaint processing procedures
- 9) Corrective actions/sanctions procedures

Methods of Administration

(MOA)

Introduction

Georgia has been working, since the implementation of the Workforce Investment Act (WIA), to build a seamless, customer-focused workforce development system. The resources of WIA, Wagner-Peyser, Trade Act, Veterans, Unemployment Insurance and Vocational Rehabilitation programs are coordinated with various agencies in the State of Georgia into a cohesive one-stop system. The Methods of Administration describes and documents how the programs administered by the Governor's Office of Workforce Development comply with all requirements specified in 29 CFR Part 37, which implements the non-discrimination provisions of the WIA title I.

The implementing regulations for WIA title I continue the non-discrimination and equal opportunity provisions of the Job Training Partnership Act. 29 CVFR 37, Section 37.4 prohibits discrimination against applicants, employees and beneficiaries on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and citizenship or participation in any of the programs or activities of the Governor's Office of Workforce Development. The MOA has general applicability to all programs, services and benefits of the Governor's Office of Workforce Development. The MOA describes the actions taken to ensure compliance with nondiscrimination and equal opportunity requirements of WIA and includes documentation that supports these provisions. The MOA is a 'living document', reflecting the department's actual and continuing nondiscrimination practices.

The Equal Opportunity officer at the Governor's Office of Workforce Development will maintain a system of documentation of all materials related to the MOA. An interdivisional group will review the MOA annually to ensure it stays up-to-date; every two years, the department will notify the Civil Rights Center regarding the status of the MOA, providing updates as needed.

The Governor's Office of Workforce Development has no jurisdiction over local employees, private businesses, Federal, State and Local government regarding discrimination complaints. A written notice will be provided within 30 days to inform the complainant to contact the Civil Rights Center (CRC) for non WIA jurisdiction complaints.

Element I

Designation of State and Local Level Equal Opportunity Officers

DESIGNATION OF THE EQUAL OPPORTUNITY (EO) OFFICER

State & Local Workforce Areas

Reference: 37.23 and 37.28

The Governor's Office of Workforce Development (GOWD) has been designated by the Governor to implement the equal opportunity provisions of the Workforce Investment Act (WIA) of 1998, Section 188 and 29 CFR Part 37.

In accordance with the U.S. Department of Labor's regulations at 29 CFR Part 37, the Executive Director of GOWD has appointed a State WIA EO officer, Cherry Peterson who should not be in a position that either constitute, or gives the appearance of a conflict of interest and ensure compliance with Equal Opportunity (EO) laws, regulations, and implementation for the local areas. Also, the Commissioner of Labor has appointed Elizabeth Warner Equal Opportunity Administrator and designated officer with the responsibility to ensure compliance with Equal Opportunity (EO) laws, regulations and implementation for GDOL and its career centers.

The Compliance Department EO support staff will provide supplemental technical assistance, expertise and coordination of equal opportunity, civil rights laws and regulations on a regular basis. The Compliance Department support staff will assist with administrative duties. Additional resources are available upon request to fulfill EO tasks and obligations. There is sufficient funding to ensure effective implementation of the equal opportunity responsibilities.

The Deputy Commissioner has extensive knowledge of equal opportunity and civil rights laws/regulations and will work closely with the EO Administrator and the GOWD Equal Opportunity officer.

State Level Equal Opportunity Administrator Elizabeth Warner Georgia Department of Labor Suite 276, Sussex Place 148 International Blvd., NE Atlanta, GA 30303-1751 404-232-3557 (phone) 404-232-3538 (fax) Elizabeth.Warner@dol.state.ga.us	WIA Title I Equal Opportunity Officer Cherry Peterson Governor's Office of Workforce Development Two Martin Luther King, Jr. Drive 1408 West Tower Atlanta, GA 30334 404-656-9485 (phone) 404-463-5043 (fax) cpeterson@georgia.gov
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Position Description for GOWD's EO Officer

- Assumes overall responsibility for developing and implementing the MOA.
- Coordinates reviews and evaluations for local areas and recipients for conformity to established policies and legislation relative to services applicants, claimants, participants and employers.
- Provides guidance to management staff on all matters pertaining to equal opportunity, including highlighting EO responsibilities in all areas of administration within the department. Acts as the focal point for EO activities.
- Coordinates developing and publishing procedures for the prompt investigation of complaints of discrimination as well as for the prompt and equitable resolution of complaints alleging violations of nondiscrimination/equal opportunity provisions.
- Monitors the delivery of all programs and activities administered by the Department to ensure universal access to include members of varying demographic groups and persons with limited English proficiency.
- Reviews contracts, plans, and agreements to ensure the inclusion of all required EO provisions and non discrimination assurances.
- Ensures the collection and maintenance of records consistent with the requirements of 29 CFR Part 37.37 to determine compliance with nondiscrimination and equal opportunity provisions.
- Coordinates development of procedures to ensure that communications with individuals with disabilities are as effective as communications with others.
- Establishes procedures for obtaining prompt corrective action, negotiating voluntary compliance through negotiation and conciliation activities or, as appropriate applying sanctions when deemed appropriate if noncompliance is found.
- Serves as the GOWD's liaison with the Local Workforce Areas EO Officer.
- Serves as the GOWD's liaison with the Civil Rights Center.

The Governor's Office of Workforce Development's Equal Opportunity Officer's name, title, address, and telephone numbers (Voice and Georgia Relay) has been made public by the following means:

- Memorandum Notification of GOWD internal Bulletin Board News posted on the Intranet system to all employees.
- Included in notice of nondiscrimination, ***"Equal Opportunity Is The Law"***, handout provided to applicants for employment, employees and members of the public. The notice of nondiscrimination is available in English, Braille and Spanish as well as the Department's web page.
- State directive, DOL-1697 and DOL-1697a, was mailed to all local career centers, one stop centers and grant recipients regarding WIA requirements to provide initial and continuing notice of nondiscrimination and forwarding copy of notice of nondiscrimination handout and instructions for dissemination. Procedures for dissemination of the notice of nondiscrimination are described in Section II.
- Included in GOWD's Directory of Offices and Personnel that is distributed to all employees.
- Management distribution list

The state of Georgia has 20 designated local areas under the Workforce Investment Act. Each local area has identified an Equal Opportunity Officer. The Directory of the 20 local areas and the names of the local area EO

Officers are noted in an attached document. Each local area EO Officer provided their contact information regarding the designation to their customer base.

The Department has 20 local areas through the state that serve as the local level focal point for taking and handling complaints that involve customer services concerns, apparent violations, discrimination and related issues. Each local area manager has designated a staff person to serve as the Complaint Specialist and an alternate to coordinate activities and processes related to the complaint system.

Designation of an Equal Opportunity (EO) Officer by Workforce Investment Act (WIA) Recipients (Local Workforce Investment Boards)

The regulations at 29 CFR 37.23 require each recipient, other than small recipients, to designate an individual as the EO officer. Although “small recipients” need not designate an EO officer with the full range of responsibilities, they must designate an individual who is responsible for publishing the state’s complaint procedures and processing of complaints in accordance with the procedures, as described in Sections 37.76 through 37.79. Service providers as defined in Section 37.4 likewise are not required to designate an EO officer, but must assure compliance with the nondiscrimination and equal opportunity provisions of the WIA.

Professional and Administrative Support Staff Available to the State WIA title I Equal Opportunity Officer

As a result of the changing nature of how services are delivered, reductions in the Agency staff size, and increases in the level of cross-function support, the EO officer has not had assigned staff; however, this has not been detrimental to program operation. Responsibilities of former staff members have either been assumed by the EO officer, with support from other Agency offices and units, or as in the case of program training, are fulfilled using a combination of internal and external resources.

Budget

The programmatic funding for the Office for Civil Rights (OCR) is included in the allocation for the Director’s Office.

Funding is also available for training materials for the workforce-board EO officers and disabilities-services coordinators that are not furnished electronically in advance of the training.

DESIGNATION OF THE LOCAL EQUAL OPPORTUNITY (EO) OFFICER

The role of the Equal Opportunity Officer at the local level is critical to local and state compliance with Equal Opportunity laws and regulations. Their oversight of local programs and resolution of complaints minimizes costly litigations and enhances the delivery of equitable services.

The duties of a Local EO Officer are as follows:

- 1) Serve as the local entities or One Stop’s liaison with the WIA Title I administrator.
- 2) Facilitate onsite EO reviews conducted by GOWD or USDOL.

- 3) Ensure that Equal Opportunity posters with the notice: *Equal Opportunity is the Law* (see 29 CFR Part 37.30) is placed in areas of high visibility.
- 4) Process, resolve or refer complaints of discrimination in the manner prescribed by 29 CFR Part 37 and the GOWD Complaint Processing Procedures regarding this subject.
- 5) Collaborate with the WIA Title I administrator when a complainant has selected Alternative Dispute Resolution
- 6) Ensure all applicants and employees receive a copy of the Equal Opportunity Notice.
- 7) Ensure that facilities, programs, services, information, and equipment (e.g. computer hardware and software) are accessible to individuals with a disability.
- 8) Ensure that programs, services, and information are accessible to individuals whose primary language is not English and who constitute a significant portion of the area population eligible to be served (see 29 CFR Part 37.35).
- 9) Participate in training that will enhance and maintain the competencies required of an EO officer.

Northwest Georgia

R01-A01

Gwen Dellinger
(706) 295-6485
Workforce Development Director
1 Jackson Hill Drive (P. O. Box 1798)
Rome, GA 30162
[Administrative Support Entity](#)

Georgia Mountains

R02-A02

Director John Phillips
(770) 538-2727
Georgia Mountains Regional Commission
2481 Hilton Drive, Suite 8
Gainesville, GA 30501
[Administrative Support Entity](#)

City of Atlanta

R03-A03

Director Deborah Lum
(404) 546-3001 dlum@atlantaga.gov
Atlanta Workforce Development Agency
818 Pollard Boulevard, SW
Atlanta, GA 30315
[Administrative Support Entity](#)

Cobb County

R03-A04

John Helton
(770) 528-4300
Cobbworks Workforce Investment Board
463 Commerce Park Drive, Suite 100
Marietta, GA 30060
[Administrative Support Entity](#)

Dekalb County

R03-A05

Director Sheryl Chapman
404-371-2881
DeKalb Workforce Development
320 Church Street
Decatur, GA 30030
[Administrative Support Entity](#)

Fulton County

R03-A06

Michael Rowicki
404-613-7944
Housing and Human Services
137 Peachtree Street, SW, 3rd Floor
Atlanta, GA 30303
[Administrative Support Entity](#)

Atlanta Regional R03-A07

Mary Margaret Garrett
404-463-3326
Atlanta Regional Commission
40 Courtland Street, NE
Atlanta, GA 30303
[Administrative Support Entity](#)

West Central Georgia R04-A08

Director Deborah Woerner
770-229-9799
Workforce Development Corporation
1710 Highway 16 West
Griffin, GA 30223
[Administrative Support Entity](#)

Northeast Georgia R05-A09

Director Carol Rayburn Cofer
770-369-5703
Northeast Georgia Regional Commission
305 Research Drive
Athens, GA 30605
[Administrative Support Entity](#)

Macon/Bibb R06-A10

Executive Director Kathy H. Thompson
478-751-7984
Macon-Bibb Workforce Development
200 Cherry Street, Suite 400-B
Macon, GA 31201
[Administrative Support Entity](#)

Middle Georgia R06-A11

Executive Director Don McRae
478-953-4771

Middle Georgia Consortium, Inc.
124 Osgian Boulevard, Suite A (P.O. Box 8539)
Warner Robbins, GA 31088
[Administrative Support Entity](#)

Richmond/Burke Counties R07-A12

Richmond/Burke Job Training Authority
706-721-4921
208 7th Street (P. O. Box 1446)
Augusta, GA 30903
[Administrative Support Entity](#)

East Central Georgia R07-A13

Director Leon Fields
706-595-8941
East Central Georgia Consortium
674 Washington Road (P.O. Box 179)
Thomsom, GA 30824
[Administrative Support Entity](#)

Lower Chattahoochee R08-A14

Howard Pendleton
706-653-4529
Job Training Division
420 10th Street P. O. Box 1340
Columbus, GA 31901
[Administrative Support Entity](#)

Middle Flint R08-A15

Director Janice West
706-256-2910
Middle Flint Workforce
228 West Lamar Street
Americus , GA 31709
[Administrative Support Entity](#)

Heart of Georgia Altamaha R09-A16

Reba Metter
912-739-7158
Job Training Unlimited
P. O. Box 906 (7 South Duval Street)

Claxton, GA 30417
[Administrative Support Entity](#)

Southwest Georgia R10-A17

Director Charles L. Williams
229-336-2378
Southwest Georgia Workforce Investment Board
110 South Harney Street
Camila , GA 31730
[Administrative Support Entity](#)

South Georgia R11-A18

Director Marcia Gaskins
229-333-5277
Southern Georgia Workforce Board
327 West Savannah Ave.
Valdosta, GA 31601
[Administrative Support Entity](#)

Southeast Georgia R11-A19

Roberta Lovett
912-285-6097
Southeast Georgia Workforce Board
1725 South Georgia Parkway West
Waycross, GA 31503
[Administrative Support Entity](#)

Coastal R12-A20

Director Cindy Landolt
912-351-6379
Coastal Workforce Services
Coastal Workforce Services
Savannah, GA 31405
[Administrative Support Entity](#)

Local Workforce Area Complaint Specialist/EO Officer

Area 1	Phyllis Walker Northwest Georgia Regional Commission P.O. Box 1798 Rome, GA 30162-1798 Ph: (706) 295-6485
Area 2	John Phillips Georgia Mountains Regional Commission 2481 Hilton Drive, Suite 8 Gainesville, GA 30501 Ph: (770) 538-2727
Area 3	Deborah Lum Atlanta Workforce Development Agency 818 Pollard Boulevard, SW Atlanta, GA 30315
Area 4	Alisa Jackson Cobb Works 463 Commerce Park Drive, Suite 100 Marietta, GA 30060 Ph: (770) 528-8066 Fax: (770) 528-8078 Email: ajackson@cobbworks.org
Area 5	Sandeep Gill DeKalb Workforce Development 320 Church Street Decatur, GA 30030 Ph: (404) 687-3437 Blackberry: (404) 593-6358 Fax: (404) 687-4099 Email: sgill@dekalbcountyga.gov
Area 6	Sonya Wilson Fulton County 137 Peachtree Street, SW, 3 rd floor Atlanta, GA 30303 Ph: (404) 730-1931
Area 7	Anna Thompson Atlanta Regional Commission 40 Courtland Street, NE Atlanta, GA 30303 Ph: (404) 463-3331
Area 8	Bret Panter West Central Georgia 1710 Highway 16 West Griffin, Georgia 30223 Ph: (770) 229-9799 Fax: (770) 229-9924 TDD/TTY (800) 255-0056

Area 9	<p>Rhonda Keeter, CDF Northeast Georgia Regional Commission 305 Research Drive Athens, GA 30605 Ph: (706) 369-5703 Fax: (706) 583-2843 Email: rkeeter@negrc.org</p>
Area 10	<p>Tiffany Jones Macon-Bibb 200 Cherry Street, Suite 400-B Macon, GA 31201 tiffany.jones@macon.ga.us Ph: (478) 803-2651 (Office)</p>
Area 11	<p>Robie Coffin Middle Georgia Consortium, Inc 124 Osigian Blvd., Suite A Warner Robins, GA 31088 Phone: (478) 953-4771 or 1(800)-537-1933 TDD/TTY 1 (800) 255-0056 rcoffin@mgwis.com</p>
Area 12	<p>AL Chandler Richmond/Burke Job Training Authority 209 7th St., 5th Floor Augusta, GA 30901 Ph: (706) 721-4928 Fax: (706) 7217395</p>
Area 13	<p>Karen Abron East Central GA 674 Washington Road Thomsom, GA 30824 Ph: (706) 595-8941</p>
Area 14	<p>Mr. James Shipp Columbus Consolidated Government Job Training Division (WIA) P.O. Box 1340 Columbus, Georgia 31902-1340 Ph: (706) 653-4529 Fax: (706) 653-4533</p>
Area 15	<p>Norma English River Valley Regional Commission 228 West Lamar Street Americus, GA 31709 Ph: 1 (877) 819-6348 Fax: (229) 931-2917 Email: nenglish@rivervalleyrc.org</p>
Area 16	<p>Sandy Bunton Heart of Georgia Altamaha P.O. Box 906 Claxton, GA 30417</p>

	Ph: (912) 739-7158 Fax: (912) 739-7126 Email: sandybunton@bellsouth.net
Area 17	Sherry Knighten, PHR Southern Georgia Regional Commission 30 West Broad Street Camilla, GA 31730 Ph: (229) 522-3552 ext. 29 Fax: (229) 522-3558
Area 18	Pat Houseal Southern Georgia Regional Commission 327 West Savannah Avenue Valdosta, GA 31601 Ph: (229) 333-5277 phouseal@sgrc.us
Area 19	Roberta Lovett Southeast Georgia 1725 South Georgia Parkway West Waycross, GA 31503 Ph: (912) 285-6097
Area 20	Cindy Landolt Coastal Workforce Services Savannah, GA 31405 Ph: (912) 351-6379

Element II

Notice and Communication

Reference: 29 CFR 37.29 through 37.36

The Governor's Office of Workforce Development (GOWD) complies and will continue to comply with the requirements of 29 CFR 37.29 through 29 CFR 37.36 related to the establishment of a notice and communication system to file complaints of discrimination. The Department and its recipients provide initial and continuing notice that they do not discriminate on any prohibited ground and assure that communication with persons with disabilities are as effective as communication with others.

The notice of discrimination (in language specified in 37.30) should be:

"Equal Opportunity Is the Law"

It is against the law for this recipient of Federal financial assistance to discriminate on the following bases: against any individual in the United States, on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against any beneficiary of programs financially assisted under Title I of the Workforce Investment Act of 1998 (WIA), on the basis of the beneficiary's citizenship/status/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any WIA Title I-financially assisted program or activity. The recipient must not discriminate in any of the following areas: deciding who will be admitted, or have access, to any WIA Title I-financially assisted program or activity; providing opportunities in, or treating any person with regard to, such a program or activity; or making employment decisions in the administration of, or in connection with, such a program or activity.

What to Do If You Believe You Have Experienced Discrimination?

Whenever any person, organization or agency believes that the Governor, or the governor's designee, WIA grant recipient or other sub recipient (e.g. service providers, contractors) has engaged in conduct that violates the WIA Act and has a concern regarding this violation; the problem should first be discussed informally between those involved and then with the Governor's Office of Workforce Development (GOWD) before a grievance or complaint is filed.

The grievance or complaint process is intended to allow for a resolution of the violation at the most local level. Applicants and Participants for WIA-related services through the Workforce Investment Act (WIA) Title I will be treated fairly by GOWD or any of its sub recipients for funds entrusted to the agency and no applicant, participant, employee, service provider or training provider will be intimidated, threatened, coerced or discriminated against because they have made a complaint, testified, assisted or participated in any manner of an investigation, proceeding or hearing.

The Governor's Office of Workforce Development is prohibited from discriminating, under Section 188 of the Workforce Investment Act of 1998, against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIA Title I- financially assisted program or activity.

Grievances and complaints should be filed as the **participant's right** in accordance with the written procedures established by the Governor's Office of Workforce Development in this subsection for WIA-funded program or activity whether informally or formally signed and in written form

If you think that you have been subjected to discrimination under a WIA-funded program or activity, you may file a complaint within 180 days from the date of the alleged violation to the WIA Equal Opportunity Officer at the local area. If you elect to file your complaint with the Governor's Office of Workforce Development, you

must wait until the local area issues a decision or until 30 calendar days have passed, whichever is sooner, before filing with the Governor's Office of Workforce Development.

After 30 calendar days of filing your grievance at the local area, the Governor's Office of Workforce Development requires the local area to provide a formal decision, if the issue is not resolved informally. If you find the local hearing decision unsatisfactory, or if the local area does not respond to you in the allotted 30 days, you will have the opportunity to file a request for review by the Governor's Office of Workforce Development.

Upon filing a written grievance or complaint to the Governor's Office of Workforce Development, a notification will be sent acknowledging your grievance or complaint (see attachment A) decision unsatisfactory, or if GOWD does not respond to you in the allotted 45 days, you will have the opportunity to file a request for review by the Executive Council Officer of the Governor. At the State level, WIA requires an opportunity for an informal resolution and hearing to be completed within 60 calendar days of the filing. If the State's representative GOWD or the Executive Council does not respond within the 60 days, or either party wants to appeal, WIA allows for a formal appeal to the U.S. Department of Labor. Federal appeals must be made within 60 calendar days of the receipt of the decision being appealed. USDOL will make a final decision no later than 120 days after receiving a formal appeal. USDOL will only investigate grievances and complaints arising through the established procedures by the State. WIA does not allow for federal intervention until the formal procedure has been followed as outlined below.

- 1) Contact Local Area for inquiry to resolution of alleged grievance or complaint
- 2) Or Contact Cherry Peterson, State WIA EO officer, Governor's Office of Workforce Development, Two Martin Luther King, Jr. Drive, S.W., 1408 West Tower, Atlanta, Georgia 30334, e-mail address: CPeterson@georgia.gov
Phone (404) 656-9485 or Fax: (404) 463-5043
Or Tricia Pridemore, Executive Director, Governor's Office of Workforce Development, Two Martin Luther King, Jr. Drive, S.W., 1408 West Tower, Atlanta, Georgia 30334, e-mail address: Tpridemore@georgia.gov,
Phone (404) 656-9485 or Fax: (404) 463-5043
- 3) If resolution is not sufficient, contact mediator at the Executive Council Office of the Governor, 201 State Capitol, Atlanta, Georgia 30334
Phone (404) 656-1776
- 4) If resolution is not sufficient, contact Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue, NW Room – N4123, Washington, D.C. 20210
And Regional Administrator USDOL/Employment and Training Administration, Atlanta Federal Center, Room 6M12, 61 Forsyth Street, SW, Atlanta, GA 30303

Form can be accessed through the Civil Rights Center website at

<http://www.dol.gov/oasam/programs/crc/Cife.pdf>

People with Hearing Impairments may contact the Georgia Relay Center at 1-800-255-0056 or 711

Discrimination complaints related to WIA service delivery are handled separately from non-criminal complaints from participants. If you think that you have been subjected to discrimination under a WIA Title 1-financially

assisted program or activity, please see Section VIII WIA Administration Standards and Non-discrimination and Equal Opportunity.

In cases of suspected **fraud, abuse or other alleged criminal activity**, you should direct your concerns to the Compliance department at wdcompliance@georgia.gov.

The Department communicates policies, guidelines and information, including those pertaining to EO to its central and local areas and sub recipients through numbered memoranda, written instructions and announcements, e-mail, intranet, and program and policy manuals. Manuals are updated as needed. GOWD's website is also used to provide current information to staff, clients, partners and the general public. TDD/TTY or relay system is available for persons with hearing impairments.

Posters and brochures have been revised and are provided department wide and to sub recipients for display and/or distribution. Spanish language, as well as large print posters and Braille brochures are available. "Tag lines" are used in recruitment brochures, web pages, GOWD publications, and broadcast program information.

Orientation sessions for participants, employees and the general public emphasize individual rights under the nondiscrimination and equal opportunity provisions, including the right to file a complaint of discrimination with the local area, GOWD or the Civil Rights Center related to WIA. Individualized technical assistance to sub recipients will be provided upon request. Training for the Department's WIA areas managers and office staff as well as local Area EO Officers is scheduled quarterly.

The notice of discrimination should be:

- Posted prominently. The poster should be displayed in a conspicuous location that is accessible to all customers and employees. Please ensure that this notice is placed on all bulletin boards and in break areas.
- The enclosed poster, "*Equal Opportunity Is the Law*", replaces existing posters.
- The poster is available in an accessible format to persons with disabilities (enlarged print). The notice is recorded on audiocassette and a copy has been made available to all local offices and local area contacts. The notice can be read or cassette provided to individuals with disabilities that limit their seeing or reading ability.
- The notice is posted on the GOWD website at <http://workforce.georgia.gov>
- The printed brochure "*Equal Opportunity Is the Law*" is readily accessible as a handout in English, Spanish and Braille.
- Made available to all customers and staff of One-Stops/Local Workforce Areas and any WIA funded provider of services, and made part of that person's file, as appropriate.
- The initial notice and other materials are available in Spanish.
- The notices shall contain the name, address, telephone number and TDD/TTY number (for use by individuals with a hearing disability). Under Title IV of the Americans with Disabilities Act (ADA), a message relay telephone system is mandated in each state. The Georgia Relay Service provides statewide telephone accessibility to speech and hearing impaired individuals.
- The tag lines notice is to appear on publications, brochures, broadcasts and other communication about WIA-related or supported activities is "**_____ is an equal opportunity employer/equal opportunity programs**" and "**Auxiliary aids and services are available upon request to individuals with disabilities**".

- Document when the notice is given in an alternative format to a participant with special needs. Do include this documentation in the participant's individual record.

Publications

- Recruitment brochures and other materials or media messages distributed to the public to describe WIA or ES program or participation requirements use an abbreviated notice that the program or activity is an "Equal Opportunity employer/program/service" and "auxiliary aids and services are available upon request to individuals with disabilities."
- Where telephone numbers are listed, TDD or relay service number should be provided. Information regarding the Georgia Relay Center is available from the Consumer Hot Line at 1 (800) 682-8706. The number for the Georgia Relay Service is 1(800) 255-0056 (TDD/TTY) or 1(800) 255-0135 (Voice).

Services or Information in a Language Other Than English

- The initial notice and other materials are available in Spanish. If a significant number of the population needs information in a language other than English or Spanish, efforts will be made to provide translation in the needed language where appropriate. Braille and sign language services are also available upon request.
- Sample data on language spoken at home, based on the 2000 census, are shown in Element 4 – Universal Access. The data was compiled for each of Georgia's 20 areas and provided to the local workforce boards by the Department for use in determining the language-interpretation and document-translation needs in their respective service areas. However, the workforce boards now have a better language-data resource at their disposal in materials that are also based on the 2000 census, provided by the U.S. Department of Labor and available at:
www.doleta.gov/reports/CensusData/LWIA_by_State.cfm?state=GA.

Orientation

- During orientation for new participants, customers, and new employees, GOWD staff will include a discussion of participants and/or employee's rights to nondiscrimination and equal opportunity, including the right to file a complaint of discrimination.

Communication with Individuals with Disabilities

- Each division should continue to take appropriate steps to ensure that communications with individuals with disabilities are as effective as communication with others. When necessary, appropriate auxiliary aids and services should be furnished to ensure effective communication and provide individuals with disabilities and equal opportunity to participate in, and enjoy the benefits of the Department's services, programs or activities.
- All local areas should have the names of individuals and organizations available to communicate with individuals with disabilities, if assistance is needed. A written procedure for effective communication has been distributed to staff.
- Signs showing the international symbol for accessibility should be provided at each primary entrance of an accessible facility.
- A sign should be posted in each one stop center and itinerant point to provide an opportunity for individuals with disabilities to request an accommodation in advance. Signs can be ordered from supply.

- Signs should be posted at all inaccessible entrances of the Department's offices directing individuals to an accessible entrance or address of the nearest accessible office and the telephone number to call if an accommodation is needed to receive services.

On-line Notice to Applicants

In 2010, Work Ready Connect (WR Connect) became operational. The WR Connect web site is an online tool designed to assist job seekers, who are Work Ready certified, in searching for the right job, and to help employers who are looking for the best job candidate. WR Connect lets the job seeker search for jobs by a radius from his or her home zip, and region within the state.

If the potential job applicant decides to become a fully registered user with Work Ready Connect and have access to all on-line services, he or she must first advance to a screen containing the Equal Opportunity is the Law notice. The user must then click to advance to the next screen to begin entering personal information as a form of signature.

As a Georgia state agency, the Department uses Careers, the Internet-based information system for state employees and those seeking a career in Georgia state government available at: www.careers.ga.gov.

Information about current position vacancies is available by position classification, by agency and by county in the state. Each on-line position listing for the Department includes the 'tag lines' discussed in 2 and 5, as well as the notice *Equal Opportunity is the Law*.

Training Activities

The State EO WIA officer will provide ongoing training on EO policy and procedures, diversity in the workplace, sexual harassment, ADA issues, and the complaint process as related to discrimination.

Attendance and participation in additional training sessions will be made available throughout the year.

The manner in which an extent to which information in languages other than English is provided, and the manner in which the State ensures that persons of limited English-speaking ability have access to its programs and activities on a basis equally to that of those who are proficient in English (See 29 CFR 37.37)

I. Purpose

The purpose of this policy is to establish effective guidelines consistence with Section 188 of the Workforce Investment Act and Title VI of the Civil Rights Act of 1964, requiring all recipients of federal financial assistance provide to individuals who are Limited English Proficient meaningful access to all services and programs.

II. Policy

It is the policy of the Governor's Office of Workforce Development to provide meaningful access to all individuals applying for, participating in programs or receiving services/benefits administered by GOWD. Meaningful access involves the GOWD efforts in promoting effective communication with LEP individuals seeking or receiving services, benefits or participation in programs funded in part or whole by federal funds.

III. Definitions

Limited English Proficiency: A person with limited English proficiency or “LEP” has no ability or limited ability to speak, read, write or understand the English language well enough to allow him/her to interact effectively.

Meaningful Access: The availability to receive language assistance that results in accurate and effective communication, but does not result in undue delay or denial of benefits to which the LEP customer is eligible.

Interpretation: The oral or spoken transfer of a message from one language into another language.

Translation: The written transfer of a message from one language into another language.

Effective Communication: Occurs when staff members have taken necessary steps to ensure a person who is LEP is given adequate information in his/her language to understand the services, benefits or the requirements for services or benefits offered by GOWD. These necessary steps must allow an individual the opportunity to qualify for the benefits or services provided by the department without unnecessary delay due to the person’s LEP.

Vital Documents: Forms or documents designed and/or utilized by the GOWD that are critical for accessing federally funded services or benefits and/or are required by law.

Primary Language: An individual’s native language in which they communicate most effectively.

IV. LEP Population

The Governor’s Office of Workforce Development has determined that the language(s) other than English that is/are most likely to be encountered by staff is Spanish. The methodology used to make this determination is as follows: According to data from the 2006 US Census Bureau, American Community Survey, ninety-four percent (94.2%) of the total population speak English very well. Less than 6% of the total population spoke English less than very well. The language most commonly spoken by LEP customers likely to interact with GOWD staff is Spanish. Vietnamese, Korean, and Chinese are additional languages sporadically encountered in some of the GOWD offices. As a result of the census data and tracking of customers served by Georgia Department of Labor staff, the department has translated a majority of our documents into all four of these languages.

V. Language Assistance

An effective language program may include hiring of bi-lingual staff to provide immediate assistance to LEP customers, contracting with professional translators and interpreters to ensure that vital documents are translated and information is communicated accurately. GOWD proactively recruits bi-lingual staff and contracts with Professional Linguistics, Network Omni and Georgia Interpreting Services Network to provide certified professional services to LEP customers. Language assistance is also tracked in GWS within the C102 screen.

Procedures for assisting LEP customers

1. At initial point of contact LEP persons should be notified that:
 - a. Upon request, they will be provided language assistance
 - b. Language assistance will be provided at no cost to them

- c. Vital documents will be translated at no cost
2. Staff must document the CI02 screen and the Georgia Workforce System (GWS) with the actual language assistance provided.

In-Person Contact

1. The language identification flash card should be used to allow customers to identify their primary language.
2. Bi-lingual staff proficient in speaking the identified language should be utilized to notify customer of the availability of language assistance and to provide initial services to customers. If in-house bi-lingual staff is unavailable, refer to the GOWD Multi-Lingual directory and make contact with staff identified as proficient in the primary language of the customer.

The flooring resources are also available to assist staff in providing language assistance:

- A. Georgia Interpreting Services Network (GISN) is available to assist customers with professional sign language interpretation.
- B. The Staff Multi-Lingual Directory and the listing of forms available in other languages are posted on the GOWD Intranet site, for convenient access.

Telephone Contact

Upon receiving a telephone call from a customer requesting assistance in a particular language, staff should refer to the Network Omni "Please Hold" document to view the appropriate way to ask the customer to please hold. Contact the appropriate in-office staff, identifying the need for language assistance and transfer the call.

If the customer is unable to identify the language in which they need assistance, contact Network Omni Language Line and indicate that help is needed to identify the language the customer is speaking. The language line will connect staff to a specialist in that language.

Translation of Documents

GOWD forms are available in Spanish, Vietnamese, Korean and Chinese. It has been determined via census data and monitoring of customer interaction these are the languages most often encountered throughout the state. Over 100 forms in these languages may be ordered through the central supply system.

VI. Staff Training

To ensure that personnel understands this policy, and are capable of effectively delivering services to LEP customers, the GOWD will educate staff through training programs that include, but are not limited to:

1. New Employee Orientation on serving LEP customers
2. Central Office LEP team which travels throughout the state delivering training specifically on providing services to LEP customers. This team of staff also provides assistance to management with enhancing the local LEP plans.

VII. Monitoring

1. Annual desk reviews of the local LEP plans from the State office

2. Local office managers conduct periodic reviews to determine the effectiveness of local language assistance practices and procedures. The local LEP plans are treated as living documents and are updated as often as necessary to ensure the highest quality of service delivery. Staff will be updated on any changes.
3. Local offices are required to submit updated local LEP plans to the central office as changes are made.



EQUAL EMPLOYMENT OPPORTUNITY	PAGE: 1 OF 2	100-C
	EFFECTIVE:	03/01/2012
	Revision:	1

I. PURPOSE

The purpose of this policy is to ensure that no applicant to, employee, or client of the Governor's Office of Workforce Development (GOWD) shall in any way be favored, discriminated against, or harassed on the basis of political opinions or affiliations, race, color, sex, religion, age, disability, or national origin.

II. STATEMENT OF POLICY

- A. It is the policy of the GOWD to administer a human resources management system in compliance with the equal employment opportunity laws, rules, and regulations.
 - 1. The human resources management system of the GOWD is subject to the provisions of the Rules of the State Personnel Board promulgated pursuant to the provisions of the Official Code of Georgia Annotated, Chapter 45-20.
 - 2. The GOWD and its employees are subject to the provisions of federal law prohibiting unlawful discrimination on the basis of race, color, sex, religion, age, disability, national origin, or political affiliation.
 - 3. The GOWD and its employees are subject to the provisions of the Fair Employment Practices Act as administered by the Commission on Equal Opportunity.
- B. No person shall be in any way favored, discriminated against, or harassed with respect to employment with the GOWD. The term "employment" shall include, but is not limited to, appointment, promotion, transfer, demotion and dismissal.
- C. The GOWD does not tolerate harassment, in any form, of applicants, employees, or clients. Harassment may include, but is not limited to:
 - 1. Offensive remarks, comments, jokes or slurs pertaining to an individual's political opinions or affiliations, race, color, sex/gender (or sex/gender preference), religion, age, national origin, disability, or citizenship status.
 - 2. Offensive sexual remarks, sexual advances or requests for sexual favors regardless of the gender of the individuals involved.
 - 3. Offensive physical conduct, including touching, regardless of the gender of the individuals involved.
 - 4. Offensive pictures, drawings, photographs, or other communications, including e-mail.
 - 5. Threatening reprisals for an applicant's, employee's, or client's refusal to respond to requests for favors (including sexual favors), or for reporting a violation of this policy.

- D. Violation of this policy will subject an employee to disciplinary action up to and including dismissal.
- E. All employees are covered by this policy including supervisors, managers, and upper management. No employee, supervisor or other member of management has the authority to suggest to any employee, applicant, or client that that individual's employment or advancement will be affected in any way by the individual's entering into (or refusing to enter into) any form of personal relationship with the employee, supervisor, or manager.
- F. Harassment of GOWD employees in connection with their work by non-employees is also a violation of this policy. Any employee who experiences or observes any harassment of an employee by a non-employee should report such harassment to his or her manager.

III. DETAIL OF POLICY

- A. Employees who experience favoritism, discrimination, or harassment should:
 - 1. First tell the person rendering the favoritism, discrimination or harassment that what they are doing/saying is offensive.
 - 2. Report the matter to their supervisor or manager.
 - 3. If the problem involves the supervisor or manager, report the problem to the Employee Management Relations Unit in the Human Resources office.
- B. Favoritism, discrimination, and harassment issues reported to Human Resources will be kept as confidential as possible and will be thoroughly and carefully investigated.
- C. Employees will not be penalized in any way for reporting such problems. Retaliation for reporting such problems is a form of harassment punishable under this policy by discipline up to, and including, dismissal.
- D. Refer to the Policy in order to file a grievance alleging discrimination or harassment on the basis of political opinions or affiliations, race, color, sex, religion, age, disability, or national origin.
- E. Refer to the Policy in order to file a grievance alleging sexual harassment.

TAG LINE

EQUAL OPPORTUNITY EMPLOYER/PROGRAM

AUXILIARY AIDS & SERVICES ARE AVAILABLE UPON REQUEST TO INDIVIDUALS WITH DISABILITIES

Element III

*Review assurances, job training plans,
contracts, and policies and procedures*

The state requires that all job-training plans, contracts, assurances and other agreements between recipients are non-discriminatory and contain provisions regarding nondiscrimination and equal opportunity. Contracts and other agreements without this language shall not be approved. Policies on WIA Title I discrimination and/or equal opportunity issues are developed and implemented in a timely manner.

The Department requires each grant applicant and training provider to assure that it is able to provide programmatic and architectural accessibility for individuals with disabilities (29 CFR part 32). The Department monitors each LWIA annually to ensure that the facilities are accessible.

The Department has established procedures for conducting reviews of proposals for WIA funds and other contractual agreements. The Department reviews all policy issuances and directives carefully to determine that they are nondiscriminatory in intent or effect. Guidance to local level recipients is issued to ensure that local policy issuances are nondiscriminatory in intent or effect.

The Georgia Unified Workforce Investment Act Plan and the Policies and Procedures manual provides that the assurance may be incorporated by reference into these documents and is the beginning point for equal opportunity assurance. A copy of the Assurances and Certifications are included in any requests for proposal that are issued.

WIA Title I Plan Contact

Tricia Pridemore

Executive Director, Governor's Office of
Workforce Development

1408 West Tower

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Atlanta, GA 30334

Phone: 404-463-8520

Fax: 404-463-5043

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Contact for Faith-Based Initiatives: under revision

Services of Vocational Rehabilitation and Unemployment Insurance are also discussed in the plan. The Commissioner of Labor has responsibility for Unemployment Insurance and the Department of Human Services has responsibility for Vocational Rehabilitation.

Job training plans, contracts, assurances, and other similar agreements entered into by recipients are both nondiscriminatory and contain the required language regarding nondiscrimination and equal opportunity. (29 CFR part 37.54)

Element IV

Universal Access

4. Universal Access

Reference 29 CFR 37.42

It is the Governor's Office of Workforce Development's intent to provide access to all programs/services and benefits of the Department. Such efforts shall include, but not be limited to, assurances/certifications and requirements for outreach and recruitment efforts to broaden the composition of the applicant pools to include members of both sexes, of the various racial and ethnic groups and of various age groups, as well as individuals with disabilities and limited English speaking ability.

The stream of multiple funds and multiple partners in workforce centers provides the broadest possible menu for access to all job seekers, including those with special needs, such as dislocated homemakers, Migrant & Seasonal Farmworkers, public assistance recipients, women and minorities, individuals training for nontraditional employment, veterans, individuals with multiple barriers to employment, older individuals, individuals with limited English speaking ability, and persons with disabilities.

Technology is a key component in ensuring access to everyone by employing a number of strategies to include the following:

- Increased connection among services;
- Provision of equal opportunities for workforce training services for both rural and urban dwellers, as well as persons with disabilities or other barriers to communication;
- Access to services for persons of all levels of computer literacy;
- Assistance in using the self-service component of the one-stop center.

The Department will enhance the employability and increase the earning potential of individuals with multiple barriers to employment. Strategies to address individual needs will include basic skills programs, occupational skill training, job analyses, job accommodations, disability awareness training and other activities that may address barriers and support achievement of positive employment outcome. Individuals with multiple barriers to employment will be offered a continuum of education, job training, career counseling and development to enhance achievement and retention of employment. To enhance the employability skill of individuals with disabilities, local boards, one-stop operators, and providers will assure:

- Representation of individuals with disabilities on staff, where feasible;
- Cross training of staff;
- Disability awareness for staff;
- Outreach programs for individuals with disabilities
- Specific staff, service goals and expectations;
- Technical assistance to employers including information regarding ADA requirements and available tax credits; and
- Outcome measures of goals and expectations.

Each one-stop center in Georgia shall designate at least one person whose duties include providing services and assistance for individuals with disabilities. The Department will cooperate with the Governor's Council on Disabilities, and the Vocational Rehabilitation specialist.

The Department uses census statistics and state and local market trends to stay abreast of the populations to be served including members of both sexes; the racial/ethnic and age groups as well as persons with disabilities and limited English proficiency.

The Department is aware of the significant population increase of individuals with limited English proficiency in the State and take reasonable steps to ensure that our policies and procedures do not deny or have the effect of denying persons with limited programs, activities and services to customers with limited English proficiency, as appropriate.

The Governor's Office of Workforce Development is responsible for monitoring all WIA recipients and ensuring compliance with the universal access element of nondiscrimination and equal opportunity provisions of Section 188 of the WIA. The Department continually stresses to recipients the importance of their obligation to expand the diversity of the participant pool and staffing selections. The Department annually monitors the LWS's to measure the effectiveness of the LWA's efforts to serve and employ a diverse population, including members of both genders, various racial, ethnic and age groups, and individuals with disabilities.

The Governor's Office of Workforce Development makes an effort to provide universal access in services to clients of both sexes; the various race/ethnic and age groups, individuals with disabilities and individuals with limited English proficiency. Activities include the following:

- Publicity materials (brochures, letters) designed to provide an overview of ES services to the general public. These materials can be mass-mailed, used as handouts, or provided to libraries and schools.
- Participation in local and statewide job-related events. Among these are job fairs, school career days, media feature stories, seminars and networking groups.
- Coordination and involvement with various agencies, committees, task forces, and projects which deal with any employment-related functions. (Examples: Vocational Rehabilitation, School to Work, Governor's Council on Disabilities, etc).
- ES special programs for targeted groups such as MSFWs, veterans, youth, Job Corps, etc. These programs mandate outreach – both to the target population and a one-to-one basis.
 - The GOWD has developed policies related to the responsibilities needs service or information in a language other than English in order that they are effectively informed of or able to participate in the program or activity, local offices will provide to such persons, in appropriate languages, the information needed.
 - If a significant number of eligible populations need services or information in a language other than English in order that they are effectively informed of or able to participate in the program or activity, local offices will provide to such persons, in appropriate languages, the information needed.
 - The EO notice of nondiscrimination handout, poster and audio cassette recording are available in English and Spanish, and are provided as needed.
 - The GOWD uses the Programs for EO Evaluation Reports (PEER) that produces statistical reports to monitor services provided by local ES offices. These reports are a source of data outlining the services provided to different applicant groups, and are used to make EO evaluations of equitable services.
 - In the selection of site locations, satellite offices, and outstations, consideration must be given to whether all members of the general population for all programs, services and benefits including

ES/UI are given access. The Executive Director reviews all department facilities to ensure accessibility.

- Services to provide sign language and Braille are available upon request.

All local area managers have taken the following actions to ensure universal access:

- All local areas have signs posted to inform customers of telephone numbers to call or to see the manager if an accommodation is needed to receive services.
- All local area managers have identified individuals and/or organizations available if assistance is needed to provide services or information in a language other than English, and written procedures have been distributed to staff.
- GOWD's employees who have skills in languages other than English have identified themselves and offered their services in assisting agency customers by providing instruction, conveying information, or assisting with completing forms. The local area manager includes the names of these individuals in memorandum distributed to staff.
- All local area managers maintain a current list of local community organizations specific to their community that serve or represent the various ethnic, gender and age group segments and individuals with disabilities.
- All local area managers maintain routine ongoing contact with advocacy groups and community based organizations to ensure that their center meets the specific needs of each constituency.
- All local area managers coordinate with, and develop linkages among other local, state and federal agencies serving the various segments of the populations.
- Participate in community employment events such as job fairs, employment seminars, and public recruitment for employers to publicize the services of the local area.
- Serve on the advisory boards of, or offer technical assistance to advocacy groups and community based organizations.
- Place advertisement to recruit participants for Employment Service programs in newspapers, radio, and television, and participate in the development and airing of public service announcements, and appear on local radio and television shows to promote the use of the Governor's Office of Workforce Development programs, services and benefits by substantial segments of the population.
- Employer Relations- On-site visits with employers and community agencies; participation in job fairs, special recruitment efforts, Employer Committee meetings; employer seminars, and public relations campaigns, to encourage employer use of Employment Services.
- Provide career center office space, where available, to local groups and organizations for recruitment, promotional efforts and other appropriate organizational activities.

The Governor's Office of Workforce Development continuously examines the services provided for and to those individuals with limited English proficiency (LEP). The Department has developed and implemented a broad-base system to better provide services to ensure LEP persons having meaning access.

Current Department practices include the following:

- Survey of Staff Bilingual Skills
- GOWD's Multi-Lingual directory skills to assist bilingual customers, as appropriate

- Information exchange and collaboration with community organizations, other state agencies, such as the Department of Human Resources, and the State Monitor Advocate regarding translators, interpreters and resources for limited English proficient customers.
- Local LEP plans have been developed to provide location specific direction to staff on procedures to providing services to LEP customers and information on resources available to staff.
- Use of Internet sites as a resource tool
- Attendance and participation at community events and activities directed towards individuals with limited English proficiency.
- Ongoing coordination and contact with the State Monitor Advocate's office for service to Migrant and Seasonal Farmworkers and other limited English proficient customers.
- Publications of selected materials in Spanish.
- GOWD will use the services of volunteer interpreters, telephone interpreters and contract interpreters as appropriate to provide language assistance to customers on a case by case basis.

Activities to be Funded

Service Delivery Approaches

Georgia's service delivery system encompasses the services of all required partners and a variety of additional partners as determined by WIBs and local community needs. Each of Georgia's 20 workforce areas has at least one comprehensive One-Stop site, at which the full array of partner services is available. Local systems have additional offices and access points at which services and workforce information are provided. These include career centers and technical college (both systems have locations that serve as areas' comprehensive service sites), Vocational Rehabilitation offices, Division of Family and Children offices, faith- and community-based organizations, libraries, county administrative offices and other sites that broaden the access of services to all business and job seeker customers. One-Stop workforce services are available to businesses, job seekers, employed workers looking for new jobs, and youth. WIA services to youth are integrated into the system in a variety of ways that are discussed later in this section. Georgia's system is designed to:

- Offer comprehensive career, employment and labor market information
- Help individuals receive education and training to expand their job skills
- Assist job seekers in connecting with employers
- Ensure that talent development is focused on high growth-high demand jobs
- Provide specialized assistance to individuals with barriers to career success
- Support workers through periods of unemployment
- Help businesses address workforce issues
- Ensure that workplaces are safe
- Offer all of these services in the most integrated and customer-friendly way possible

Local WIBs and workforce partners determine how these goals are carried out at the local level, and the specific role that each partner will play in the system. The state deliberately limits its requirements for local systems, to ensure that WIBs have all possible flexibility in designing systems that meet the needs of their communities.

Minimum requirements for local One-Stop service delivery include the federally-specified elements; essentially, that comprehensive One-Stop sites provide access to the following services:

- WIA adult, dislocated worker and youth
- Job Corps, Native American and MSFW programs, if present in the community
- Veterans employment and training, including the LVER and DVOP programs
- Wagner-Peyser
- Trade Adjustment Assistance
- Adult Education and Literacy
- Vocational Rehabilitation
- Older Workers (Title V)
- Post-secondary educational opportunities
- Unemployment Insurance
- Housing and Urban Development and Community Action Agencies

Additionally, local systems are encouraged to incorporate TANF, Food Stamps, Corrections Employment and Training, transportation, housing, faith-based and other relevant local services.

Local partners are to formalize their participation in the system through Memoranda of Understanding (MOUs) and resource sharing agreements. The MOUs specify which services will be delivered, by whom and where. Additionally, referral procedures among partners and how information will be shared regarding mutual customers are described in the MOUs.

Most of the state-level policy information is disseminated to the system through the Guidelines to the Workforce Investment Act. Other policy information is provided through memos, roundtable discussions and formal training sessions. State staffs evaluate the quality and inclusiveness of local systems through the annual review process.

GOWD and the Technical College System of Georgia have established a sound technological infrastructure that promotes service integration and universal customer access. The agencies have developed comprehensive web sites with a wide array of resources and linkages to workforce and economic development information at the local, regional, state and national levels.

The Georgia Labor Market Explorer is a comprehensive web-based source of workforce information for businesses, job seekers, economic development authorities, analysts and researchers and students. Some of the types of information included in the system are: wages by area, occupation and industry; jobs and industries that are growing or declining; employment trends; information about education and training opportunities; regional commuting patterns and a variety of career exploration tools.

This site provides businesses with career center and other recruitment resources, tools for writing job descriptions, tax information, and resources for employee training. Job seekers can link to current job openings and check wages, qualifications and job outlook for occupations in which they are interested. Students can link to information on schools and training providers in the community, sources of financial aid and hot careers. Analysts and researchers can access a wide variety of labor market, economic and demographic data. These data are developed by the GDOL Workforce Information and Analysis Division, and represent the most current

sources of information on these topics. Visitors to the site can set up personal profiles to store data for future reference, and the system includes a feature for asking questions and receiving answers electronically.

Other automated services provided to businesses by GOWD include: on-line entry of quarterly tax and wage reports; change of address; request to file partial Unemployment Insurance claims; the Employer Job Order Request System (a component of the Internet referral process); the Job Access system to recruit job seekers with disabilities; Georgia Hire, through which companies can recruit college graduates from Georgia schools; assistance with tax credits; unemployment insurance information and more. GOWD recently added a new feature to promote hiring – the Jobs 4 Georgia service strategy. From information provided on the department's web site, businesses can request personalized assistance on-line or by calling a statewide toll-free number. Knowledgeable staffs, at the state level, handle these calls. Assistance ranges from answering employment-related questions or referring the caller to the appropriate source, to assisting the business to place a job order. This approach frees up staff in career centers to work with on-site customers, while providing quality customer service to members of the business community.

Job seekers and students also have a variety of automated resources to assist them. A key feature of Georgia's labor exchange process is an automated referral system, through which job seekers may browse statewide job listings and indicate via email their interest in particular jobs. Career center staff follows up on these inquiries and provides suitable referrals. This feature which is especially attractive to professional job seekers has increased staff productivity for job referrals and frees up staff to provide one-on-one assistance to those customers needing more employment services.

The GOWD website links to other job banks and the national Job Central site, provides listings of local, state and federal government jobs and the Job Access and Georgia Hire systems described above, and contains listings of job fairs and other events of interests to job seekers and students. This system also has a variety of self-service tools for youth, including elements of the Georgia Labor Market Explorer, financial aid information, job opportunities and targeted service strategies including High School/High Tech and Jobs for Georgia Graduates. The website is Bobby Approved to ensure accessibility.

In addition to the on-line products that can be accessed anywhere at any time, a broad array of resources are available within One-Stop centers. Resource areas allow customers to explore information and self-service resources, with staff assistance as needed. Some of the following items are typically included in a resource area:

- Access to state and national job banks and employment services
- Career exploration, job search, self-assessment, and career planning resources
- Consumer report card data on eligible training providers
- Fax machines, phones and photocopiers
- Financial aid information
- Information on education and training opportunities
- Job listings and job search assistance tools
- Personal computers – with Internet access – that contain a complete range of software and web links
- Resume preparation software
- Video conferencing capabilities
- Comprehensive library of books and DVDs

Georgia has offered guidance to local systems regarding models of WIA service delivery. Given the state's geographic and economic diversity, local systems have developed approaches that best meet their needs; no one model is appropriate everywhere. Thus, the state requires that areas have at least one comprehensive site to provide core and intensive workforce services and access to the other activities carried out by local partners. Most of the sites have co-located partner staff and knowledgeable staff are always available to help customers access needed services. Efforts are ongoing to cross-train staff and to develop functional teams within One-Stop sites for truly integrated and seamless service delivery. State-level training is provided to these cross-functional teams for such topics as the GWS system, marketing to employers, resume preparation, presentation skills, and other topics.

Career centers provide access for customers with disabilities through assistive technology, large print and Braille documents, and TTY, Sorenson Video Services and interpreters for individuals who are deaf or hard of hearing. The Disability Program Navigators assist staff with additional resources and supports. Also through the Navigator grant, each career center will be furnished with Ubi Duo, a device allowing face-to-face communication for customers who are deaf or hard of hearing. Resources are also available to serve customers who speak little or no English, as discussed elsewhere in the plan.

Workforce Information

Georgia Department of Labor staff in the Workforce Information and Analysis Division work closely with state and local workforce system partners and stakeholders and the economic development community, to ensure that labor market data are timely and relevant to their needs. Their products, both paper and electronic, and their services (presentations, training sessions and one-on-one technical assistance) are well-received by the wide range of data users (e.g. local WIBs, economists, teachers and career counselors, One-Stop staff, businesses and job seekers), as evidenced by the positive feedback on product surveys. The high quality of these products has led to strong word-of-mouth marketing of the division's products and services.

The division has continued to enhance the current line of products and training sessions, including the highly popular Education Rocks! Program, which is centered on a PowerPoint presentation geared to junior high and secondary school students. In addition to the informative and engaging presentation, the division's publications and electronic O*Net tools are included on the Education Rocks! CD. Since the program's inception in late 2004, approximately 2,000 CDs have been distributed following train-the-trainer courses. These CDs have resulted in the presentation being offered to hundreds of thousands of students across Georgia.

The planned partnership between the state and U.S. Census Bureau is now in place. This will allow Georgia to be one of 46 states participating in the Local Employment Dynamics (LED) program, which includes three different tools: the Quarterly Workforce Indicators (QWI), Industry Focus, and On the Map.

The LED program combines state-level employment data with census data to produce a number of new workforce resources. The QWI includes total employment, new job flows, job creation, new hires, separation, turnover, average monthly employment and average new hire earnings. In addition, these data are available at an industry level, by age group and by sex. The Industry Focus allows users to create reports by industry to look at leading indicators. On the Map allows users to study where people live and where they work. This gives

workforce developers, transportation experts and city planners the opportunity to look at their populations and determine what is going on in their communities regarding commuting patterns, day time residents, etc.

Workforce Information and Analysis staff continue to cultivate close working relationships with state and local workforce staff, assisting in any and all areas of board requests. Staff assists a variety of workforce and economic development system partners, including: Chambers of Commerce; state and local economic developers; WIBs; Employer Committees; industry organizations and educators; in addition to the local workforce system staff, with their use of labor market tools. Assistance ranges from discovering tools and/or locating data, to understanding data and training and technical assistance with various products. The Governor's Office of Workforce Development uses the department's labor market information in support of Work Ready Communities and Work Ready Regions. The office issued its first Statewide Energy Workforce Development Plan to assist organizations who wish to apply for ARRA energy grants.

The division continues to produce hard copies of its career guidance and occupational wage publications, in addition to including all products on the Department website for universal access. The most requested documents have been translated into other languages and are available in Braille. Paper copies of products are routinely distributed to local WIBs, career centers, Vocational Rehabilitation offices and the network of technical colleges. Several labor market products are also available through e-mail notification. This allows data users to access new information as soon as it is developed.

The Workforce Information Core Products and Services grant supports the work of the division in providing quality labor market information to the workforce and economic development systems. Labor market information publications assist planners and local policy-makers to gain a better understanding of their community's economic, workforce and related indicators. Staffs are designated to work with local systems to develop new products, adapt existing products and work one-on-one with local board staff and their partners to design and develop training and presentation materials. In addition to assisting with current products and resources, staffs strive to develop and use new products that they determine will be useful for workforce specialists, economic developers, education partners and other information users. Additional resources developed include specialized planning data, a variety of local level maps illustrating age, population and industry employment. Staff also develop and provide technical assistance and formal training to workforce staff and their partners. Staff, develop customized training modules and presentations to address the needs of different partners and stakeholders within local workforce communities. These activities ensure that Georgia's workforce system serves as a catalyst to lead the state's process of talent development.

Adult and Dislocated Worker Services

Georgia's statewide system may include the services of the local WIBs, GDOL career centers, Vocational Rehabilitation and technical college sites. The locations in this network give individuals and businesses access to a rich array of workforce services. The statewide nature of these service networks and additional access points established by local WIBs ensures a standard, consistent framework throughout the state. These partners work closely with other education entities, economic developers and the overall economic development system to ensure that all talent development activities are relevant and demand-driven.

A tiered service approach is used, based on the degree of staff assistance needed to provide the services a customer wants and needs. Each of the programs included in the Unified Plan is integrally involved in the system through the provision of core or intensive services to job seekers and services to the business community.

The list below depicts the broad range of services that are available to job seekers at all local sites. This includes everything from information and self-service activities, through intensive services and training.

Local WIBs provide the menu of services listed above, along with any locally-determined services valuable to that community. Additionally, local workforce systems provide a variety of tailored business services and assist their communities with economic development activities – whether it is partnering on a customized trailing venture to attract a new business, or to talk with state or regional contacts to identify a business that could employ workers about to be laid off from a local company. State staff ensure that the services provided meet the requirements of the Workforce Investment Act through ongoing technical assistance and the annual review process.

Georgia has taken a variety of steps to increase access to training opportunities. Some examples are listed below.

HOPE Grants and Scholarships – This state-level funding source has greatly expanded the opportunity for Georgians to access the training of their choice. HOPE Grants are available to assist students seeking technical college certificates or diplomas, while HOPE Scholarships are for students seeking a degree at post-secondary institutions. Since the HOPE Program began in 1993, more than \$4.6 billion in funds has been awarded to more than 1.2 million students attending Georgia's colleges, universities and technical colleges. The availability of this funding source allows a significant portion of WIA funds to be used for supportive services and other locally-determined needs.

Part-Time Employment – Many unemployed job seekers cannot afford to attend long-term training without some income. Local WIBs are realizing that part-time employment may need to be coupled with training to ensure students' economic viability. Georgia is exploring methods to identify and expand part-time training opportunities to accommodate students who are also working. This option is particularly important for older workers, who often wish to work part-time.

Non-Traditional Hours – To accommodate the blending of part-time employment with classroom training and to assist students who must care for children or elderly relatives, Georgia providers are encouraged to offer programs of study during evenings and weekends where possible.

Sensitivity to Non-Traditional Students – Career advisors are encouraged to be sensitive to the needs of older workers returning to school, students with limited English proficiency, and new workforce entrants transitioning from public assistance. A variety of specialized programs are available within the technical college system and the university system to address these students' needs.

Continuing Education and Technical Certificate Programs – With increasing customer and business interest in these training options, Georgia's training system has developed programs to meet the need. The Technical

College System of Georgia continues to develop short-term certificate programs to meet a broad range business and worker needs. The programs range from one to four quarters and have been benchmarked to the skills indentified by leading businesses in these industries.

Georgia's Eligible Provider List now includes these certificate programs of study, as well as continuing education courses that have a concentrated career focus. In instances where these programs are not accustomed to keeping student data and tracking student performance, GOWD is working to help them address requirements for inclusion on the Eligible Provider List.

Pre-vocational services are provided to adults and dislocated workers in both classroom and work-based settings. These services are tailored to workers who have specific skills but lack occupational credential without having to take an entire training program, their reentry into the job market is accelerated. Short-term training (less than 120 classroom hours), preparation and review activities that prepare customers to take certification examination courses may be provided as an intensive service. This strategy is likely to be used more frequently with the infusion of time-limited ARRA funds.

A copy of the State plan is available in Element 3.

Self-Service Resources

In addition to the resources available on workforce websites and the software located on resource area computers, the Department has recently developed a valuable comprehensive tool for customers interested in self-service. The "Benefit Information Program" e-learning module is a software program that contains the same information provided by Rapid Response staff to dislocated workers. This tool provides customers with another way to get this valuable information and reduces the need for staff to repeat sessions that customers may have missed. Customer feedback about this electronic tool has been uniformly positive.

Distance Learning – To expand the availability of classroom training in rural locations, some WIBs have chosen to include training providers whose programs are offered on-line. To offset concerns about lack of in-person support from instructors and other students, WIBs have made arrangements with community sites for multiple students to pursue virtual learning together. Georgia's Eligible Provider List contains a variety of approved distance learning opportunities. The Technical College System of Georgia has a virtual college with numerous offerings (see <http://www.gvtc.org>). The Board of Regents also allows students to complete their first two years of coursework on-line (see <http://gactr.uga.edu/ecore>). A tool that has been developed for career advisors is a Distance Learning Readiness Instrument. This gauges a student's study habits, self-motivation and proficiency with computer hardware and software.

The state Eligible Provider List was developed through a collaboration between GDOL and the Georgia Career Information Center (GCIC), a division of Georgia State University. The web-based system was an expansion of the existing Georgia Career Information System that had been developed by Georgia State and the Georgia Occupational Information Coordinating Committee within GDOL. The Career Information System contains self-assessment, exploration and search strategies, occupational descriptions post-secondary education program information, financial aid information, and data on military options, self-employment, apprenticeships and other training and employment opportunities. The Eligible Provider List was added to this system; more than 180 training providers offering over 5,800 approved ITA programs of study statewide are listed on the system. Since

passage of the ARRA, 11 new service providers and 43 new programs have been added to the statewide Eligible Provider List. The new programs reflect training for emerging occupations, including medical technology and biotechnology.

The Career Information System also has links to local WIB websites, labor market information, training provider applications and features whereby customers can save information to access later. Local staff training on the ITA/Eligible Provider List is coordinated at the state level, through hands-on training and technical assistance. Plans are underway to further enhance the system to include on-the-job training and customized training opportunities, part-time training options, and a new method to sort training by part- and full-time.

All technical colleges and local workforce areas have Georgia Work Ready skills gap software at their sites. They can also provide workforce customers with access to the software, via the Internet, to use at home or their location of choice.

On-the-Job and Customized Training

Georgia employers have used on-the-job training (OJT) as a way to enhance the skills of the workforce and to obtain workers trained to their specifications. Two-thirds of the local WIBs are funding this training option, using different approaches. The area with the most OJT opportunities contract with GDOL career centers (who serve as their comprehensive One-Stop sites) to develop, manage and monitor OJT contracts. Career center OJT specialists work closely with Employer Marketing Representatives and Vocational Rehabilitation Employment Specialists to present this opportunity to the business community with the assistance of private sector WIB members and Employer Committee members. They work with Chambers of Commerce and local business associations to promote this opportunity. Many staff has found that this training option sells itself where staff has already established relationships within the targeted business sectors.

Dislocated workers are a ready source of workers for OJT opportunities. At layoff Task Force meetings, OJT is discussed as an alternative to classroom training for those workers not returning to their current industry or occupation. Individual customers are matched with business customers based on the company's requirements and workers' skills. The length of OJT training is determined using standard criteria, and up to 50% of the wages paid by the employer are reimbursed by the WIB during the training period. There is an expectation that businesses will retain the trainee/employees that successfully complete the OJT period, and staff works with the business customers throughout the process to ensure they are satisfied.

State staff, encourage local systems to develop OJT training opportunities that lead to a certificate or a credential. The use of OJT activities is especially important in rural areas lacking sufficient classroom training opportunities. It is also valuable for dislocated workers who need some income while in training to upgrade their skills. To encourage employer participation and to ease administrative billing, some local WIBs allow milestone payments rather than weekly or monthly invoicing.

Priority of Service for Veterans

The state will ensure that local staff is equipped to carry out priority of service to veterans for all federally-funded workforce programs and activities, as specified in the Jobs for Veterans Act and related regulations.

The Local Veterans Employment Representatives (LVERs) and Disabled Veterans Outreach Program (DVOP) staff are the primary contacts for intensive employment, employability development and placement services to veterans. However, all staff in the career centers, other One-Stop offices and WIA-funded access points assist veterans with the variety of services they may need. This is especially important now with many armed services personnel and reservists returning from active duty. GDOL sponsors an annual conference for the veterans' staff. This provides an opportunity for staff to learn of the latest initiatives and issues of importance in the veterans' community.

Each local WIB has established written policies ensuring priority of service for eligible veterans. The annual review process allows state staff to ensure that service priority is carried out locally in accordance with federal laws and policy guidance. Covered persons (veterans and eligible spouses) are identified at the initial point of contact so that priority of service can be provided. In addition, Work Ready Regions ensure that there is an emphasis on connecting veterans to career pathway opportunities aligned to high demand strategic industry jobs.

Services to Youth

Georgia's workforce system provides a comprehensive array of services to assist youth of all ages that promote their success in school and in the workforce. The Statewide Comprehensive Youth Development Strategy, described in Section B, established the foundation for a system that addresses the needs of all youth.

State guidance is provided to Georgia's workforce system regarding ways to enhance service effectiveness for the youth most in need. Some of the strategies include: establishing strong mentoring systems; developing 'earn and learn' services for older youth; discussing with existing youth service providers ways to improve linkages with community- and faith-based organizations; and exploring creative outreach strategies to engage the target populations.

The Jobs for Georgia Graduates (JGG) Program, an affiliate of Jobs for America's Graduates, operates in 35 high schools around the state. The program provides Job Specialists within these schools to work with students identified as at risk for completing school. Two service delivery models are used. One focuses on high school seniors while the second model services youth in grades 9-12. Services include leadership development, mentoring, career exploration and career counseling, and academic and vocational one-on-one support to foster success. This program has been very successful; in Program Year 2008, 95% of the seniors in the program graduated. This 95% graduation rate was 20 percentage points higher than the overall state graduation rate. A Job Specialist position is located at the Georgia School for the Deaf as a result of a collaborative effort among JGG, Vocational Rehabilitation and the Department of Education. As noted earlier, an out-of-school model targeting high school dropouts was conducted in Athens, GA from September 2007 through June 2008. Additionally, Georgia was recently selected by Jobs for America's Graduates to host their 2009 national training seminar, which will be held in July 2009.

Another state-level effort operating in 47 schools around the state is the High School/High Tech (HS/HT) Program. The model is somewhat similar to JGG in terms of the goals and one-on-one support for at-risk high school students. HS/HT is targeted to youth with disabilities, and assists eligible youth with career development, post-secondary educational goals, job shadowing and work opportunities. Local HS/HT programs in some parts

of the state are working with WIA youth programs, thereby leveraging resources and promoting student success using both service strategies. The program has attracted support from a variety of businesses, which provide mentors, tours of corporate facilities, job shadowing, internships and work experience.

The GDOL career centers assist youth in a variety of ways, including job fairs and career expos, workshops on career planning, information on job search strategies, resume writing workshops and guidance with career exploration.

A myriad of initiatives and strategies for youth in and out of school are underway in local workforce systems. WIBs and Youth Councils have conducted resource mapping efforts to determine the particular needs of the community, services available to meet these needs, and what additional services should be developed or procured to address unmet needs. Several local Employer Committees participate in school initiatives, and all area host job fairs and career expos, many of which are targeted to youth job seekers.

The Fulton County WIB implemented a new strategy for in-school youth in 2007. Those who attend vocational training as high school seniors are given the opportunity to participate in paid work experience for up to 20 hours per week. These opportunities are aligned with the interests and vocational preparation of the students and help prepare them for their post-graduation goals.

The Middle Flint area has an intensive GED remediation and work readiness training for out-of-school youth. This effort addresses the region's extremely high dropout rate and lack of job availability. The program is modeled on a collaborative strategy between a service provider and the Arkansas National Guard used for National Guard recruits.

The DeKalb Workforce Development staff are partnering with the Department of Family and Children Services to assist out-of-school youth with GED and life skills preparation. The initiative is targeted to single mothers, with the goal of reducing welfare dependency. Youth achievements so far include attainment of GED and high school diplomas, college enrollment, full-time jobs, occupational training enrollment and increases in math and reading scores.

The Atlanta Regional WIB has created a successful foster youth service partnership in two of its counties. Many people with good intentions come and go in the lives of foster youth, including case managers, Independent Living coordinators, counselors, foster parents, group homes, teachers and the court systems. The WIB is funding a liaison position to coordinate services between the youth and the various providers and to mentor the foster youth. The liaison is effectively helping youth customers make better decisions and to leverage other resources for those customers who choose to sign themselves out of custody at age 18.

The areas with nearby Job Corps Centers have developed partnerships. The Southwest Georgia area has a cooperative agreement with the Turner Job Corps Center; likewise, the Brunswick Job Corps Center partners with the Coastal Workforce Board. The City of Atlanta WIB is working with high schools, Atlanta Area Technical College and the Atlanta Job Corps Center to assist high school student trained as Certified Nursing Assistants to upgrade their health care skills as they complete high school. The Lower Chattahoochee system includes the local Job Corps recruiting firm as an active partner.

Several local area WIBs and Youth Councils are working with other regional youth development partners on quality school-to-career models, including work study programs for high school seniors, raising senior summer school opportunities at technical college, apprenticeship efforts and preparation for technical career fields. The DeKalb County WIB partners with the county's school system to provide state-of-the-art assistance to youth in their transition from secondary to post-secondary education. Services include career exploration, financial literacy, life skills, workshops and ongoing support and case management.

Georgia's out-of-school youth services strategies continue to grow. The Southeast Georgia WIB is serving exclusively out-of-school youth, partnering with faith-based organizations, adult literacy services, Job Corps and Family Connections to engage this important segment of the future workforce. The WIB and Youth Council are working with apprenticeship programs, technical colleges and community-based organizations to meet the needs of the youth in this area of the state. Northwest Georgia has a remedial training program that prepares you the to take the GED exam. The program addresses each customer's emotional and social development in addition to his/her academic challenges. The success rate of this program has been excellent. Another WIB has a different strategy for helping out-of-school youth obtain their GED. This is a three-week, high intensity preparation curriculum. Youth who are not successful in passing the GED the first time may return for additional assistance.

The Richmond-Burke counties area has a youth resource center in their comprehensive One-Stop site, and several areas have developed youth-oriented websites. The City of Atlanta's cyber centers offer on-line GED preparation and customer service training for youth. Partnerships at the state and local levels with the Department of Juvenile Justice assist youth transitioning from the justice system with occupational skills development, orientation to work training and support to facilitate their success. The Northwest Georgia area has established a Youth One-Stop center (known as the Teen Resource Center), and they recently hosted a Youth Leadership Summit. Some of the workshops at the summit included motivational sessions, preparing for college, interviewing skills and dressing for success, service learning opportunities, and a teen mom's story.

In response to the energy industry's urgent workforce needs, the Department and several local areas are partnering with Georgia Power, the Southern Company and others to address pending workforce shortages. For example, the DeKalb County Workforce Board has partnered with local high schools, a technical college and Georgia Power, the Southern Company to implement an Electrical Line Worker Apprentice Program. Youth are on track to earn annual wages of \$30,000 - \$70,000.

The Georgia Energy and Industrial Construction Consortium was created as a partnership between electrical and natural gas utility companies, the oil and gas industry, nuclear, alternative fuels and related industries, industrial construction, utility associations, education, WIA and career center partners, as well as other affiliated organizations to address emerging workforce planning issues for the energy industry. Accomplishments of the consortium, which now numbers more than 150 members, include development and replication of an Electrical Line worker Apprenticeship Certificate Program at four technical colleges, and receipt of a President's High Growth Job Training Initiative grant of nearly \$1,000,000 for the initiative. This will provide skills-based training to individuals to prepare them for careers in the energy industry.

Another area is partnering with local officials to implement a landscape training programs for the city's planned parks and foot trails.

For those out-of-school youth wishing to complete their secondary education, local WIBs work with the alternative school programs that operate throughout the state. For example, a strategy in the planning stages in the Georgia Mountains involves out-of-school youth. They will be referred by Boys and Girls Clubs, housing authorities and other programs for a six-week program involving work experience and support in attaining their high school which WIA-eligible youth can participate in construction and carpentry occupational training and completion of their secondary education through an alternative school programs.

Many local systems choose to focus on the needs of youth with different challenges. North Georgia has a strong network of support and services, including the business community, for pregnant and parenting youth. The Metro Atlanta WIB has launched an initiative with the state Independent Living Program to work with youth transitioning out of foster care. A variety of services are coordinated for these youth, including education, employment preparation, life skills training and the transitional living program. Many state and local partners are participating in this important service strategy. The Lower Chattahoochee WIB is targeting services to foster youth by collaborating with a local group home. This initiative places the customers in year-round work experience. The area has a similar initiative for youth leaving the juvenile justice system. The Communities in Schools initiative operates in several local areas. The Cobb County program focuses on support to at-risk students by linking them with community mentoring, tutoring and counseling activities that will promote their academic success.

The infusion of ARRA funds will allow local WIBs to expand and enhance existing partnerships with youth-focused community groups. Not only will these funds allow workforce areas to increase the number of youth served, but they will also provide new opportunities for increased collaboration among youth-serving organizations.

Services to the Business Community

The workforce system has developed a variety of services to meet the needs of Georgia's businesses. These needs are determined statewide and locally through dialogue with companies through the State and local WIBs, Employer Committees, partnerships with Chamber of Commerce, SHRM, industry associations, the economic development community, and one-on-one contacts with local companies. The system also implements recommendations made by businesses through the WIA customer satisfaction survey process.

The One-Stop system provides an array of consistent business services throughout the state, including:

- Recruiting and staffing
- Tax credits and other hiring incentives
- Resources for training, including OJT and Georgia Works
- Fidelity bonding
- Quality labor market information
- Downsizing and layoff assistance
- Employment law
- Guidance on accommodations and assistive technology

Many of the One-Stop sites have established Business Centers, through which companies have access to Internet sites and email, fax machines and copiers, and, where space permits, private offices for employee

recruiting and screening. Some WIBs offer human resource support to small businesses. All workforce areas are currently collaborating with businesses and technical colleges on Georgia Work Ready. Individuals have the opportunity to receive a skills assessment at their local technical college. The resulting certificate assures prospective employers that the worker's skills and knowledge meet the requirements of the specified profiled jobs and occupations. Work Ready profiles have been established for 225 jobs since inception of this effort.

Faith-and Community-based Strategies

Georgia's Governor has recognized the unique contributions that faith organizations can provide in addressing the state's human service and workforce challenges. The Governor convenes an annual Faith-based Day, to call attention to this important issue. Also at the state level, a group of faith organizations, legislators and state agency representatives are working together to remove barriers and promote opportunities for collaborative efforts on behalf of Georgia's residents.

The workforce system in Georgia has had a long tradition of working with faith-based organizations for contracted services and mutual referrals. With the guidance, support and technical assistance of the U.S. Department of Labor, these efforts have been increased in the past few years to expand the access of community organizations to workforce resources and services. The Department has established a standing email list of local organizations, and when grant opportunities arise, this group and local workforce partners are notified. Assistance has been provided to groups with the development of grant proposals, and staff participates in faith-based coalitions to promote communication and stronger working relationships.

The Department has a representative who attends the Georgia Inter-departmental Faith-based Coalition (IFBC) meetings. Membership includes faith- and community-based groups and state agencies. The IFBC is currently examining how to best support community groups and ensure that services needed by Georgia families are effectively provided. The group facilitates communication among faith-based organizations, private industry, non-profit groups and state and federal government agencies, in addition to seeking funding for the faith-based community.

The Georgia Alliance for Workforce Development (GAWD), an affiliate of the national Workforce Alliance, is an association of community-based organizations, businesses and concerned individuals that work together to strengthen communities and individual and family self-sufficiency. This group has sponsored networking and contracting opportunities and promotes state-level advocacy in support of member organizations.

Limited English Proficiency and Alternative Formatting for Individuals with Disabilities

The Agency continues to develop and implement programs to ensure access to information and services for individuals, who have limited English proficiency or who, because of disability, require a form of communication other than spoken English. The Agency's revised guidance, Language Assistance to Limited English Proficient (LEP) Persons, is on line at: <http://dhr.georgia.gov>.

The notice Equal Opportunity is the Law is available in English and Spanish in written format, at: http://www.dol.state.ga.us/equal_opp.htm. The complaint and mediation procedures are also available in Braille from the OCR. The procedures are discussed in greater detail in Element 8.

On the US Department of Commerce website are cards for use in identifying any of the 37 languages besides English that customers may read or speak. The card states:

Mark this box if you read or speak (name of language).

Sample data on languages spoken at home, based on the 2000 census, are shown on the next page. These data, included here for the state as a whole, also were compiled for each of Georgia's 159 counties and provided to the local workforce boards by the OCR for use in determining the language-interpretation and document-translation needs in their respective service areas. However, the workforce boards now have a better language-data resource at their disposal in materials that area also based on the 2000 census, provided by the U.S. Department of Labor and available at: www.doleta.gov/reports/CensusData/LWIA_by_State.cfm?state=GA.

In 2000, 6,843,038 Georgians—90.1% of the population five years old and older—spoke only English at home, down from 95.2% in 1990.

The following table gives selected statistics from the 2000 census for language spoken at home by persons five years old and over. The category "African languages" includes Amharic, Ibo, Twi, Yoruba, Bantu, Swahili, and Somali. The category "Other Indic languages" includes Bengali, Marathi, Punjabi, and Romany. The category "Other Asian languages" includes Dravidian languages, Malayalam, Telugu, Tamil, and Turkish.

LANGUAGE	NUMBER	PERCENT
Population 5 years and over	7,594,476	100.0
Speak only English	6,843,038	90.1
Speak a language other than English	751,438	9.9
Speak a language other than English	751,438	9.9
Spanish or Spanish Creole	426,115	5.6
French (incl. Patois, Cajun)	43,428	0.6
German	32,777	0.4
Vietnamese	27,671	0.4
Korean	25,814	0.3
African languages	24,752	0.3

LANGUAGE	NUMBER	PERCENT
Speak a language other than English (continued)		
Chinese	23,812	0.3
Gujarathi	11,133	0.1
Other Indic languages	9,473	0.1
Other Asian languages	8,673	0.1
Arabic	8,557	0.1
Japanese	8,257	0.1
Hindi	7,596	0.1
Tagalog	7,308	0.1
Russian	7,175	0.1

LANGUAGE

Urdu

NUMBER PERCENT

7,109 0.1

Element V

*Compliance with section 504 of the
Rehabilitation Act of 1973, as amended and 29
CFR part 37*

5. COMPLIANCE WITH DISABILITY REQUIREMENTS

Reference 29 CFR 37.7 – 37.9 and Subparts B & C of 29 CFR 32

In providing any aid, benefits, services, or training under a WIA Title I – financially assisted program or activity, the Department or its' sub recipients must not, directly or through contractual, licensing, or other arrangement, on the ground of disability:

- Deny a qualified individual with a disability the opportunity to participate or benefit from the aid, benefits, or training;
- Afford a qualified individual with a disability an opportunity to participate in or benefit from aid, benefits, services or training that is not equal to that afforded others;
- Provide a qualified individual with an aid, benefit, service or training that is not effective in affording equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as that provided to others;
- Provide different, segregated or separate aid, benefits, or training to individuals, or to any class of individuals with disabilities, unless such action is necessary to provide the qualified individual with assistance as effective as that provided to others;
- Otherwise limit a qualified individual with a disability in enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving any aid, benefit, service or training.
 - a. Prohibits standards/procedures that:
 - Have the purpose or effect of discrimination;
 - Have the purpose or effect of impairing WIA Title I objectives
 - Perpetuate discrimination
 - b. Prohibits eligibility criteria that screen out individuals with disabilities, unless a criterion is necessary for provision of service.

It is the policy of the Department to ensure Section 504 of ADA compliance with facilities and all programmatic activity and services. It is the intent of this Department that all individuals are assured reasonable accommodations, reasonable modifications of policies, practices and procedures, as well as access to services through a barrier-free environment.

Reasonable Modification

As part of training for EO officers, the Department instructed each recipient on the necessity for providing reasonable modification in policies, practices, or procedures. This was also discussed during the training for EO officers and one-stop center disability specialists. Such modifications are required when necessary to avoid discrimination on the basis of disability, unless the modification would fundamentally alter the program, activity or service as defined in 29 CFR 37.4

Employment-Related Provisions

Evaluation of Job Qualifications: All recipients must ensure that job qualifications used to select employees do not wrongfully exclude individuals because of disabilities, as required by 29 CFR 32.12 and 32.14. Review of selected position descriptions is included as part of the Department nondiscrimination-program reviews.

Limiting Employment Medical Inquires: Pre-employment medical examinations or inquiries as to whether an applicant has a disability, or questions regarding the nature and severity of any disability, are generally prohibited. The U.S. Equal Employment Opportunity Commission (EEOC) has issued an ADA Enforcement Guidance Paper titled Pre-employment Disability-Related Questions and Medical Examinations. The EEOC guidance states there are only two exceptions where a recipient is permitted to conduct a pre-employment medical examination or inquire about an applicant's disability:

1. A recipient may invite applicants to reveal details about any disabilities where the inquiry is part of a voluntary affirmative-action plan to increase the number of employees with disabilities or as part of remedial action to correct the effects of past discrimination, or
2. Where a recipient requires every applicant (whether having a disability or not) for employment or employment-related training to undergo a pre-employment medical examination as part of its standard selection procedure. Any medical examination made under this exception must be made only as a separate, second step of the selection process and is allowed only after a conditional offer of employment/participation has been made to the applicant.

Each examination made under exception (2) must be conducted by a physician qualified to make a functional assessment of the individual's residual capacity to perform the work/training. The results of the medical examination must be specific and objective so that it can be reviewed by independent medical evaluators, and shall be transmitted to the applicant or employee at the same time as the employing official. The medical examination cannot be used to screen out qualified applicants with disabilities, but may only be used to determine proper placement and reasonable accommodation.

The prohibition on medical inquiries or questions regarding a disability does not mean a recipient is not allowed to evaluate an applicant's ability to perform the job or participate in employment training. A recipient is always permitted to conduct performance testing which determines an applicant's physical and mental ability to perform job-related functions, so long as the inquiry is limited to measuring this ability and does not delve into medical examinations or questions regarding disabilities. However, performance testing or other measurements of job performance are only permitted where every applicant (whether having a disability or not) is given the same test.

Post-offer examinations and inquiries also are permitted to determine if an applicant can perform certain jobs effectively and safely. A post-offer medical examination or inquiry, made before an individual starts work, need not focus on ability to perform job functions. Such inquiries and examinations themselves, unlike examinations/inquiries of employees, do not have to be "job related" and consistent with business necessity. A post-offer medical examination does not have to be given to all entering employees in all jobs, only to those in the same job category.

Confidentiality of Information

Any information collected by a recipient through medical examination or through inquiries regarding disability, or other information regarding the medical condition or history of an applicant, must be kept confidential, and all recipients must take steps to guarantee the security of such information. Employee medical information must be kept on a separate form from other employment or training records, and must be kept in a medical file in a separate locked cabinet apart from the location of other personnel or training files.

Access to confidential information is to be as follows:

1. Employing officials may obtain the information after making a conditional decision to make a job offer to an applicant or after the applicant was placed in a job pool or placed conditionally on an eligibility list.
2. Supervisors and managers may be informed regarding work restrictions of qualified persons with disabilities, or regarding necessary reasonable accommodations.
3. First aid and safety personnel may be informed, where appropriate, if the condition might require emergency treatment.
4. Government officials may have access when investigating compliance with various disability-related laws.

The Department will make periodic reviews of recipients' practices regarding confidentiality and will recommend and monitor a corrective-action plan where recipients are not in compliance.

Documentation by the Regional Workforce Boards

The regional workforce boards are responsible for ensuring that the following checklists are completed, as appropriate, and kept on file for each one-stop center and service provider site, and for the administrative offices:

- Facility-Accessibility Checklist
- Information-Technology (IT) Equipment-Accessibility Checklist
- Software-Accessibility Checklist
- Web-Page Accessibility Checklist
- WIA Disability Checklist

A timetable for correction of identified deficiencies must also be prepared and updated as appropriate. If a deficiency cannot be corrected, documentation that includes the reason or reasons should be prepared and kept on file. Alternative measures are to be identified to ensure that deficiencies in access do not become barriers to service or employment. These documents are requested and reviewed during nondiscrimination-program monitoring and technical-assistance visits, and the status of any findings is confirmed during the site visits.

Accessibility in **State-Owned** Buildings and Facilities

Georgia State Financing and Investment Commission 2009

Checklist for Facility Maintenance Responsibilities under the ADA

There are continuing responsibilities for barrier removal in existing buildings. Remember that when an alteration could affect the usability of a primary function area, the path of travel to the altered areas (including toilets, telephones & drinking fountains serving the altered areas) must be made accessible to the maximum

extent feasible. No alteration or maintenance project can have the effect of decreasing accessibility or usability below the requirements. Below are several key items to review for On-going ADA Maintenance:

Parking, Interior & Exterior Accessible Routes:

- o Make sure accessible parking spaces are occupied only by eligible users.
- o Keep accessible parking access aisles clear.
- o Keep curb ramps from being blocked or muddy.
- o Keep walks, sidewalks and ramps (especially to public transportation stops) free of debris and abrupt level changes.
- o Keep landscape elements trimmed (not overhanging or narrowing accessible routes).
- o Maintain slip resistance of accessible routes at all times.
- o Check structural strength of handrails & guardrails at stairs & ramps periodically.
- o Maintain protruding object-free circulation paths.
- o Maintain clear headroom of at least 80" in all circulation paths.
- o Maintain clear accessible routes between furniture, boxes and other obstructions.
- o Maintain accessible routes to stages and performing areas.
- o Do not block accessible routes with maintenance vehicles, equipment or supplies.
- o Keep construction and alteration projects from infringing on accessible routes or make provision for alternate routes.
- o Periodically check door hardware (especially closers) for proper operating forces and closing speed.
- o Check door thresholds periodically to verify that they have not been damaged to become trip hazards.

Elevators and lifts:

- o Keep areas under call buttons free of obstructions.
- o Verify consistent voice-free operation of emergency communications devices.
- o Maintain automatic reopening devices in working order.
- o Periodically check cab arrival notification systems and door closure timing.

Toilet rooms:

- o Make certain that accessible toilets are available during all times that the facilities are open.
- o Keep trash cans & other obstructions out of turning spaces & clear floor spaces at accessible elements.
- o Check hinges on toilet seats for cracks or breakaways.
- o Keep coat hooks in accessible stalls in accessible locations.
- o Keep accessible toilet paper dispensers stocked & functional.
- o Keep accessible paper towel dispensers stocked & functional.
- o Keep all other accessible dispensers stocked & functional.
- o Maintain insulation on water supply and drain pipes under accessible lavatories.
- o Where self-closing faucets are used, maintain timers to keep water flowing for at least 10 seconds after activation.
- o Check structural strength of grab bars, tub & shower seats periodically.
- o Check shower heads in accessible showers to assure they stay operable and within maximum reach ranges.

Miscellaneous Accessibility Provisions:

- o Maintain accessible features in operable working order and available for use without assistance.
- o Keep accessible drinking fountains operational with minimal force for required 4" minimum water stream height.
- o Periodically verify proper lift operation and tie-downs on accessible transportation vehicles.
- o Include ADA compliance language in all contracts and purchase orders (non-discrimination, design, installation, operation, etc.).
- o When replacing existing inaccessible elements, use accessible ones (such as drinking fountains, dispensers & signs).

- o In cafeterias, keep self-service drink & food choices, tableware, dishes, utensils & condiments within the minimum reach ranges.
- o Purchase at least some accessible tables, chairs, study carrels & desks and distribute them throughout areas where people can assemble (dining and meeting areas, break rooms, cafeterias, etc)
- o Make certain that temporary structures & portable toilets are accessible.
- o Ensure that effective communication features are available for people with hearing disabilities (including assistive listening systems, signage, etc.).

Element VI

Data and Information Collection and Maintenance

6. DATA AND INFORMATION COLLECTION & MAINTENANCE

References 29 CFR 37.37 – 37.41

The Department complies and will continue to comply with the requirements for data and information collection and maintenance. Information is made available as may be pertinent to ascertain compliance with non-discrimination/equal opportunity statutes. Data and information collection and maintenance policies are developed and communicated to all recipients.

Data and information collected and maintained is utilized to monitor recipients' EO performance, identify instances or area of discrimination, and identify individuals or groups of individuals who have been discriminated against. Four pieces of demographic information are gathered in individual records for each applicant, eligible applicant, participant, terminnee, employee, and applicant for employment: sex, race/ethnicity, age, and disability status, as appropriate.

An individual is considered an applicant at the point at which s/he submits personal information (e.g. name, address or SSI, etc.)

Element VII

Monitor Recipients for Compliance

Element 7: MONITORING RECIPIENTS FOR COMPLIANCE

[29 CFR Part 37.51-37.54]

The WIA Title I EO officer, will develop a system for evaluating the extent to which recipients are complying with the administrative obligations of 29 CFR Part 37, including, but not limited to assurances, Equal Opportunity officers, notice and communication, data and information collection and maintenance, universal access, complaint processing procedures, along with performing the responsibilities assigned such recipients by the State through the MOA. The responsibilities include conducting equal opportunity monitoring/evaluation reviews, including monitoring assurance and programmatic and architectural accessibility, imposing sanctions and corrective actions for violations, ensuring policy development, communication and training are carried out, ensuring programs and activities are operating in a nondiscriminatory manner and ensuring equal opportunity. The monitoring system will allow the review of recipients every twelve months, at a minimum.

The monitoring tool will include an analysis by race/ethnicity and sex, of program and employment activity, including but not limited to rates of application, placement and termination, to determine if significant differences exist and procedures to conduct follow-up monitoring to determine the cause of any such difference.

The WIA Title I EO officer will provide written reports of its findings to recipients identifying the need for corrective action.

Data Analysis

Data collected by The Department will be analyzed prior to each continuous improvement monitoring visit to a local area to determine whether any differences based on race/ethnicity or sex have practical or statistical significance. The Department collects information on applicants, registrants, eligible applicants/registrants, participants and terminees. The race/ethnicity, sex and disability status of applicants will be compared with the participant's and terminee's characteristics to ensure that these protected applicants are being enrolled into core, intensive and training services equitably. Similarly, the applicant pool will be compared to census and unemployment data for each local area to ensure that protected groups are recruited in proportion to their incidence in the population at large and the unemployed population.

Prior to contracting with any sub-recipient, the Department will require that the sub-recipient submit a list of their employees and all employment applicants and the employees and applicants of each of their sub-recipients to the State EO officer. These lists will include the race/ethnicity, sex and disability status of employees and applicants for employment. The EO officer will analyze these lists and compare them to census data for the county where the facility is located to ensure that state and local sub-recipients' hiring practices are not discriminating against these protected segments of the population.

Follow-up Investigations

The State EO officer with regard to personnel and the Field Services unit with regard to WIA applicants/participants will conduct follow-up investigations whenever the above mentioned reviews and analysis find significant differences that may be due to discriminatory conduct. A follow-up investigation may

also be initiated based on interviews conducted during monitoring or information contained in participant files. The follow-up investigation will consist of an on-site review of personnel or participant/applicant files and telephone and/or face to face interviews with unsuccessful applicants for participation, employment or promotion who are members of the protected segment in question. If none of the participant/employment applicants are members of a protected segment that is significant in the local population, the Division will require that the under-represented entity conduct outreach targeted to the under-represented group. When related to employment, this outreach may be postponed until such time as employment vacancies occur.

If the follow-up investigation finds violations of relevant equal opportunity provisions, the offending entity will be required to formulate a corrective action plan. The State EO officer or Field Services unit will conduct a second follow-up to review corrective action progress; no less than three months and no more than six months after the corrective action plans have been initiated.

Assurances

See Element III

Equal Opportunity Officers

See Element I

Notice and Communication

See Element II

Data and information collection and maintenance

See Element VI

Universal Access

See Element IV

Complaint processing procedures

See Element VIII

Element VIII

Complaint Processing Procedures

ELEMENT 8: COMPLAINT PROCESSING PROCEDURES

[29 CFR 37.76-37.79 and 37.54(d)(1)(vii)]

Whenever any person, organization or agency believes that the Governor, or the governor's designee, WIA grant recipient or other sub recipient (e.g. service providers, contractors) has engaged in conduct that violates the WIA Act and has a concern regarding this violation; the problem should first be discussed informally between those involved and then with the Governor's Office of Workforce Development (GOWD) before a grievance or complaint is filed.

The grievance or complaint process is intended to allow for a resolution of the violation at the most local level. Applicants and Participants for WIA-related services through the Workforce Investment Act (WIA) Title I will be treated fairly by GOWD or any of its sub recipients for funds entrusted to the agency and no applicant, participant, employee, service provider or training provider will be intimidated, threatened, coerced or discriminated against because they have made a complaint, testified, assisted or participated in any manner of an investigation, proceeding or hearing.

The Governor's Office of Workforce Development is prohibited from discriminating, under Section 188 of the Workforce Investment Act of 1998, against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIA Title I financially assisted program or activity.

Grievances and complaints should be filed as the participant's right in accordance with the written procedures established by the Governor's Office of Workforce Development in this subsection for WIA-funded program or activity whether informally, formally or through an Alternative Dispute Resolution.

If you think that you have been subjected to discrimination under a WIA-funded program or activity, you may file a complaint within 180 days from the date of the alleged violation to the WIA Equal Opportunity Officer at the local area. If you elect to file your complaint with the Governor's Office of Workforce Development, you must wait until the local area issue a decision or until 30 calendar days have passed, whichever is sooner, before filing with the Governor's Office of Workforce Development.

After 30 calendar days of filing your grievance, the Governor's Office of Workforce Development requires the local area to provide a formal decision, if the issue is not resolved informally. If you find the local hearing decision unsatisfactory, or if the local area does not respond to you in the allotted 30 days, you will have the opportunity to file a request for review by the Governor's Office of Workforce Development using Attachment A. When the complaint form is received a letter of acknowledgement will be sent to notify the participant of the receipt.

If you find the Governor's Office of Workforce Development's decision unsatisfactory through a written notice of final action, or if GOWD does not respond to you in the allotted 45 days, you will have the opportunity to file a request for review by the Executive Council Officer of the Governor who will represent both parties as a mediator. A letter of acknowledgement (Attachment C) will be sent to notify the participant. At the State level, WIA requires an opportunity for an informal resolution and hearing to be completed within 60 calendar days of the filing. If the State's representative GOWD or the Executive Council does not respond within the 60 days, or either party wants to appeal, WIA allows for a formal appeal to the U.S. Department of Labor. Federal appeals must be made within 60 calendar days of the receipt of the decision being appealed. USDOL will make a final decision no later than 120 days after receiving a formal appeal. USDOL will only investigate grievances and complaints arising through the established procedures by the State. WIA does not allow for federal intervention until the formal procedures has been followed as outlined below.

- 1) Contact Local Area for inquiry to resolution of alleged grievance or complaint
- 2) Or Contact Cherry Peterson, State WIA EO officer, Governor's Office of Workforce Development, Two Martin Luther King, Jr. Drive, S.W., 1408 West Tower, Atlanta, Georgia 30334, e-mail address: CPeterson@georgia.gov Phone (404) 656-9485 or Fax: (404) 463-5043
 or Tricia Pridemore, Executive Director, Governor's Office of Workforce Development, Two Martin Luther King, Jr. Drive, S.W., 1408 West Tower, Atlanta, Georgia 30334 e-mail address: Tpridemore@georgia.gov Phone (404) 656-9485 or Fax: (404) 463-5043
- 3) If resolution is not sufficient, contact mediator at the Executive Council Office of The Governor, 201 State Capital, Atlanta, Georgia 30334, Phone (404) 656-1776
- 4) If resolution is not sufficient, contact Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue, NW Room – N4123, Washington, D.C. 20210
 And contact the Regional Administrator USDOL/ Employment and Training Administration, Atlanta Federal Center, Room 6M12, 61 Forsyth Street, SW, Atlanta, GA 30303

State Form is attached below and the USDOL Form can be accessed through the Civil Rights Center website at

<http://www.dol.gov/oasam/programs/crc/Cife.pdf>

People with Hearing Impairments may contact the Georgia Relay Center at 1-800-255-0056 or 711.

Mediation is a form of Alternative Dispute Resolution (ADR) that is offered by the Executive Council Office of the Governor as an alternative to the traditional investigative or litigation process. Mediation is an informal process in which a neutral third party assists the opposing parties to reach a voluntary, negotiated resolution of a charge of discrimination. Mediation gives the parties the opportunity to discuss the issues raised in the charge, clear up misunderstandings, determine the underlying interests or concerns, find areas of agreement and ultimately, to incorporate those areas of agreements into solutions. A mediator does not impose a decision on the parties. Instead, the mediator helps the parties to agree on a mutually acceptable resolution.

How Mediation Works

A GOWD representative will contact the participant concerning their participation in the program. If both parties agree, a mediation session conducted by a trained and experienced mediator is scheduled. While it is not necessary to have an attorney or other representation in order to participate in GOWD's Mediation Program, either party may choose to do so. It is important that persons attending the mediation session have the authority to resolve the dispute. If mediation is unsuccessful, the participant has the option to contact the Department of Labor Civil Rights Center and/or the USDOL Employment and Training Administration Atlanta Office.

Advantages of Mediation

Free – Mediation is available at no cost to the parties

Fair and Neutral – Parties have an equal say in the process and decide settlement terms, not the mediator. There is no determination of guilt or innocence in the process.

Saves Time and Money – Mediation usually occurs early in the charge process, and many mediations are completed in one meeting. Legal or other representation is optional but not required.

Confidential – Information disclosed during mediation will not be revealed to anyone, including other GOWD staff.

Discrimination complaints related to WIA service delivery are handled separately from non-criminal complaints from participants. If you think that you have been subjected to discrimination under a WIA Title 1-financially assisted program or activity, please see Section VIII WIA Administration Standards and Non-discrimination and Equal Opportunity.



**Governor's Office of Workforce Development
WIA Complaint Information Form**

FORM C

WIA Participants must fill out this form in order to log an official complaint against a local area that is a sub-recipient of WIA Title I funds. The completed form must be submitted after 30 calendar days of filing your grievance at the local area to the following:

Governor's Office of Workforce Development

Attn: Compliance Manager

Two Martin Luther King, Jr. Drive Atlanta, GA 30334

Phone: (404) 656-9485 Fax: (404) 463-5043.

Electronic submissions should be sent to: wdcompliance@georgia.gov

1) Participant Information:

Name _____

Home Number _____

Address _____

Work Number _____

City, State, and Zip _____

2) Local Area Information:

Representative involved in the complaint _____

Email address of representative involved _____

Provide information of local area involved:

Name _____

Address _____

3) What is the most convenient time and place for us to contact you about this complaint?

4) Have you ever attempted to resolve this complaint at the local Level? ☐ No ☐ Yes

a. Have you been provided with a final decision at the local level regarding your complaint?

☐ No ☐ Yes

Date of final decision (if any) _____

b. Have 90 days elapsed since you filed or attempted to file this complaint at the local level?

☐ No ☐ Yes

Date you filed or attempted to file your complaint at the local level _____

FOR DISCRIMINATION ONLY – COMPLETE 5 THROUGH 13

5) To your best recollection on what date (s) did the discrimination take place?

Date of first occurrence _____

Date of most recent occurrence _____

6) Explain as briefly and clearly as possible what happened and how you were discriminated against. Please indicate who was involved. Be sure to include how other persons were treated differently from you. Also attach any written material pertaining to your case.

7) Basis of Complaint: Which of the following best describes why you believe you were discriminated against: (Check one)

- | | |
|-----------------------------------------------------|------------------------------------------------|
| <input type="checkbox"/> Race | <input type="checkbox"/> Color |
| <input type="checkbox"/> Religion | <input type="checkbox"/> National Origin |
| <input type="checkbox"/> Gender [] Male [] Female | <input type="checkbox"/> Age |
| <input type="checkbox"/> Disability | <input type="checkbox"/> Political Affiliation |
| <input type="checkbox"/> Citizenship | <input type="checkbox"/> Reprisal/Retaliation |
| <input type="checkbox"/> Other | |

8) What other information do you think is relevant to your complaint?

9) If this complaint is resolved to your satisfaction, what remedies do you seek?

10) Please list below any persons (witnesses, or others) that we may contact for additional information to support or clarify your complaint:

Name _____

Address _____

Telephone Number _____

11) Do you have an attorney?

- ☐ No ☐ Yes

If yes, please provide name, address and phone:

Attorney's Name _____

Attorney's Address _____

Attorney's Telephone Number _____

12) Have you filed a case or complaint with any of the following?

- ☐ Civil Rights Division, U.S. Dept of Justice
- ☐ U.S. Equal Employment Opportunity Commission
- ☐ Federal or State court
- ☐ Your State or local Human Relations/Rights Commission

13) For each item checked in #15 above, please provide the following Information:

Agency _____

Date Filed_____

Case or Docket Number_____

Date of Trial or Hearing_____

Location of agency or court_____

Name of Investigator_____

Status of Case_____

Comment_____:

PLEASE NOTE THAT BY SIGNING AND SUBMITTING THIS FORM (ELECTRONICALLY OR VIA MAIL); YOU ARE ACKNOWLEDGING THAT ALL OF THE INFORMATION PRESENTED IS ACCURATE AND NOT FRAUDULENTLY REPORTED.

Print Name

Signature

Date

Date:

Name:

Address:

Telephone:

Re: **Acknowledgement of Concern**

Dear:

Thank you for writing the Governor's Office of Workforce Development regarding your concern dated _____ alleging the discriminatory practices of activities on the part of our local area _____. This office will proceed in conducting an investigation of this complaint. You will be contacted by telephone to arrange a time to discuss the case and to include additional details. Federal Regulation 29 CFR 37 provides the Governor's Office of Workforce Development a period of 90 days from the dated letter to attempt to resolve these concerns. Please note that you have the right, at your expense, to be represented in the complaint process.

Sincerely,

Cherry Peterson

Compliance Manager

Governor's Office of Workforce Development

Date:

Name:

Address:

Re: Statement of Issue with ADR alternative

Dear:

Thank you for writing the Governor's Office of Workforce Development regarding your concern dated _____ with the following issues raised: _____. For summary, you have informed this office that you reject the decision/investigation by the local area regarding the issue. The Governor's Office of Workforce Development will proceed with an investigation into the circumstances in the complaint.

During this investigation, you may be contacted by the Executive Council Office of the Governor who is an impartial mediator representing the participant and the Governor's Office of Workforce Development for an alternative dispute resolution (ADR).

Participation in ADR is voluntary and both parties must agree to participate in this process. Should you elect mediation, no position statement or documents are required. If mediation is successful at providing an outcome to this issue, the Equal Opportunity Workforce Investment Act officer will be informed from the Georgia Commission on Equal Opportunity.

Sincerely,

Cherry Peterson

Compliance Manager

Governor's Office of Workforce Development

In cases of suspected fraud, abuse or other alleged criminal activity, you should direct your concerns to the Compliance department or send an email to wdcompliance@georgira.gov.

The Department communicates policies, guidelines and information, including those pertaining to EO to its central and local areas and sub recipients through numbered memoranda, written instructions and announcements, e-mail, intranet, and program and policy manuals. Manuals are updated as needed. GOWD's website is also used to provide current information to staff, clients, partners, and the general public. TDD/TTY or relay system is available for persons with hearing impairments.

II. Resolution Process

A. Alternative Dispute Resolution

Complainants must be given a choice as to the manner in which they wish to have their complaint processed, which include; an investigation conducted by the State Workforce Investment Act Equal Opportunity Officer; or, through an Alternative Dispute Resolution (ADR). The choice whether to use ADR or the customary process of conducting an investigation rests entirely with the complainant.

Mediation is the recommended Alternative Dispute Resolution and will be conducted by an impartial mediator provided through an arrangement for services between the GOWD and the Executive Council.

Complainants must notify the State Workforce Investment Act Equal Opportunity Officer within ten (10) days after receiving the letter acknowledging their complaint of their choice of complaint processing through Alternative Dispute Resolution.

The Executive Council will provide an impartial mediator and will provide interested parties information regarding the manner in which the mediation will be conducted; and the date, time and place for mediation.

The period for attempting to resolve the complaint through mediation is twenty (20) days from the date the complainant chooses mediation.

Upon completion of successful mediation the complainant and respondent will both sign a conciliation agreement attesting that the complaint has been resolved.

A copy of the conciliation agreement will be provided to the State Workforce Investment Act Equal Opportunity Officer within ten (10) days of the date the conciliation agreement was signed.

In the event that mediation was not successful the complainant has the option of requesting a fact-finding investigation.

The request for a fact-finding investigation must be submitted, in writing, within ten (10) days after the complainant determines that the mediation was unsuccessful to the State Workforce Investment Act Equal Opportunity Officer.

Complainants may not request mediation after a hearing or fact-finding investigation process has taken place.

B. Fact-Finding Investigation Process

If the complainant requests an investigation as his or her choice of resolution the State WIA Equal Opportunity Officer will have sixty (60) days from the date the complaint was filed, in which to conduct an investigation. The investigation may include interviewing the complainant and respondent, interviewing witnesses, and reviewing pertinent files and records.

In order to meet the ninety (90) day time frame for issuing decisions and allow the State WIA Equal Opportunity Officer adequate time to conduct an investigation should the mediation fail, the State will have thirty (30) days in which to investigate the complaint. The mediator will notify the State Workforce Investment Act Equal Opportunity Officer immediately that the mediation process was unsuccessful.

C. Complainant Responsibility

The complainant may amend the complaint at any point prior to:

1. the beginning of mediation; or
2. the fact-finding investigation

The complainant may withdraw the complaint at any time.

If at any time during the process the complainant fails to cooperate, she or he shall be given notice that the complaint will be administratively closed within ten (10) calendar days, unless good cause is shown.

D. Breach of Agreement

Any party to any agreement reached under ADR may file a complaint with the Director of the Civil Rights Center in the event the agreement is breached. The non-breaching party may file a complaint with the Director within thirty (30) days of the date that party learns of the alleged breach.

If the parties do not reach an agreement under ADR, the complainant may file a complaint with the Director of the Civil Rights Center. The address for filing in the event of a breach in the agreement or lack of agreement follows:

Director, Civil Rights Center (CRC), U.S. Department of Labor

200 Constitution Avenue NW, Room N-4123

Washington, DC 20210

E. Waivers

The State Workforce Investment Act Equal Opportunity Officer may grant a waiver, for good cause, if it appears that additional time is needed to make all reasonable efforts to resolve the complaint. An example of a good cause might be one of the following:

1. Mediation may be the availability, or lack of, of a mediator(s) during the time frame for the mediation period, or an acceptable conflict with the time frame by the complainant;

2. Investigations may be issues with schedules for interviews or availability of staff to conduct an investigation.

The waiver may be requested by the complainant, the respondent, service provider, mediator or the State Workforce Investment Act Equal Opportunity Officer. Waivers must be agreed to and signed by both the complainant and respondent.

F. Administrative Decision

The State will have ninety (90) days from the date the complaint was received to issue a decision. The Executive Director of the Governor's Office of Workforce Development will issue the final decision based on recommendations from the Workforce Investment Act Equal Opportunity Officer. All parties involved will be issued copies of the decision.

III. Service Provider and Employer Responsibilities

In order to meet the complaint processing requirements in the Workforce Investment Act Equal Opportunity and Nondiscrimination Regulations at 29 CFR Part 37.77 and Georgia's Equal Opportunity and Nondiscrimination policy, all Workforce Investment Act Title IB funding recipients including: WIA Title IB providers of intensive and training services; and employers including private-for-profit employers of Workforce Investment Act participants must adopt this complaint procedure for complaints alleging violations of any prohibited factor under the equal opportunity and nondiscrimination provisions of the Workforce Investment Act. Adoption of these elements should be noted in personnel handbooks.

Element IX

Corrective Actions and Sanctions

ELEMENT 9: CORRECTIVE ACTIONS AND SANCTIONS

29 CFR 37.37 AND 37.54(d)(2)(VII)

Recipients determined to be in violation of the nondiscrimination portions of the *Workforce Investment Act* (WIA) as a result of a discrimination complaint or a monitoring review, or both, is required to take prompt corrective and/or remedial action. A violation may range in seriousness from a technical violation to discrimination. Technical violations may take the form of failure to include required language in assurances, failure to post the required equal-opportunity notices, etc. The more serious discrimination violations include findings of: disparate treatment, disparate impact, and failure to provide a reasonable accommodation. Sanctions may be imposed where voluntary compliance cannot be accomplished.

Corrective Action

Corrective action means prompt action designed to completely correct the violation and bring the recipient into compliance. Corrective actions must be appropriate for the violation identified and must be designed to end discrimination and/or redress the specific violations. Any corrective action must be narrowly tailored to resolve the specific violation found and must assure that discrimination does not recur. Corrective action may also require remedial action. Where appropriate, the corrective action may also include educating individuals responsible for the violation.

Remedial Action

Remedial action means an action designed to make whole an individual or individuals who suffered injury or loss because of unlawful discrimination. Anyone victimized by discriminatory acts or policies must be restored to the status he or she would have received had the discrimination not occurred. Remedial action can include either retroactive relief, prospective relief, or both.

- (1) For employees of the recipient, retroactive relief may include, for example, back pay, front pay, retroactive benefits, other monetary relief, reinstatement, promotion, disciplinary action, retroactive seniority, transfer, or training. Monetary relief associated with remedial action cannot be paid from federal funds. For participants, it may include, for example, accelerated, priority or special services, or expanded placement or referral services, or the provision of any service discriminatorily denied.
- (2) Prospective relief may include, for example, training, change of policy, development of new policy, communication, and training on policy communication, additional record keeping, accommodation, personnel changes or changes to physical facilities.

Monitoring

Deficiencies can fall into two categories: technical and discrimination. A technical violation would be defined as a deficiency that do not involve discrimination (e.g. failure to post notice, failure to collect data) and the other deficiency are those that involve discrimination.

Where a corrective-action plan is established, the recipient will report in writing to the Governor's Office of Workforce Development every 30 days regarding its progress on the plan until all commitments made in the plan are fulfilled. Each 30-day progress report should indicate the status of each item in the corrective-action plan, what actions the recipient has taken during the previous 30 days toward achievement of the plan, what remains to be done, and a schedule listing the dates when each remaining action is to be completed.

Sanctions

A sanction is any official action implemented to penalize or censure a non-complying recipient. The ultimate sanction available is to revoke approval of part or the entire local plan and cut off funding to the recipient.

Potential Sanctions

- (1) Deferral of action on the recipient's applications for new WIA financial assistance.
- (2) Referral to the CRC or the Attorney General for appropriate legal action.
- (3) Disallowance of selected costs (e.g., salaries).
- (4) Partial funding.
- (5) Temporary suspension of financial assistance until compliance is achieved.
- (6) Offsets.
- (7) Legal action under state contract law, based upon the recipient's assurance of compliance with the WIA, federal regulations, state law and governor's directives.
- (8) Any other actions as may be provided by law.

Notes:

1. This listing of sanctions should not be considered conclusive or absolute, since the unique circumstances surrounding a civil-rights or equal-opportunity issue may vary.
2. Monetary relief cannot be paid from federal funds. (*Reference: 29 CFR 37.94(c)*)

Attachment B

Date:

Name:

Address:

Telephone:

Re: Acknowledgement of Concern

Dear:

Thank you for writing the Governor's Office of Workforce Development regarding your concern dated _____ alleging the discriminatory practices of activities on the part of our local area _____. This office will proceed in conducting an investigation of this complaint. You will be contacted by telephone to arrange a time to discuss the case and to include additional details. Federal Regulation 29 CFR 37 provides the Governor's Office of Workforce Development a period of 90 days from the dated letter to attempt to resolve these concerns. Please note that you have the right, at your expense, to be represented in the complaint process.

Sincerely,

Compliance Manager

Governor's Office of Workforce Development

Attachment C

Date:

Name:

Address:

Re: Statement of Issue with ADR alternative

Dear:

Thank you for writing the Governor's Office of Workforce Development regarding your concern dated _____ with the following issues raised: _____. For summary, you have informed this office that you reject the decision/investigation by the local area regarding the issue. The Governor's Office of Workforce Development will proceed with an investigation into the circumstances in the complaint.

During this investigation, you may be contacted by the Council representing the State of Georgia who represents the participant and the Governor's Office of Workforce Development as a mediator for an alternative dispute resolution (ADR).

Participation in ADR is voluntary and both parties must agree to participate in this process. Should you elect mediation, no position statement or documents are required. If mediation is successful at providing an outcome to this issue, the Equal Opportunity Workforce Investment Act officer will be informed from the Council.

Sincerely,

Compliance Manager

Governor's Office of Workforce Development